



THE BRAILLE MONITOR

DECEMBER - 1972

The National Federation of the Blind is not an organization speaking for the blind—it is the blind speaking for themselves.

THE BRAILLE MONITOR

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If you or a friend wish to remember the National Federation of the Blind in your will, you can do so by employing the following language:

"I give, devise, and bequeath unto NATIONAL FEDERATION OF THE BLIND, a District of Columbia non-profit corporation, the sum of \$_____ (or, "_____ percent of my net estate", or "the following stocks and bonds: _____") to be used for its worthy purposes on behalf of blind persons and to be held and administered by direction of its Executive Committee."

If your wishes are more complex, you may have your attorney communicate with the Berkeley Office for other suggested forms.

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TABLE OF CONTENTS

THE SEASON'S GREETINGS	607
CLEVELAND SOCIETY FOR THE BLIND: NEW NOTIONS ABOUT THE SPIRIT OF GIVING by Kenneth Jernigan	608
LAWYERS DIVISION CHAIRMAN WINS JUDGESHIP	617
CURTIS CHONG HIRED BY FAA	618
STANDARDS OF ASSISTANCE IN AID TO THE BLIND	619
MINNESOTA BLIND SUE	620
MEET OUR STATE PRESIDENT—HARVEY WEBB AND MEET OUR STATE AFFILIATE—THE NFB OF LOUISIANA	627
TIP YOUR HAT TO THE GOLDEN STAR CHAPTER	628
LEGISLATION OF THE 92nd CONGRESS	629
“SPECIAL CONCESSIONS TO THE BLIND” A LETTER TO THE EDITOR	632
POSTAL SERVICE THINKS IT MAY START SELLING MORE THAN STAMPS by Timothy D. Schellhardt	634
FROM THE PRESIDENT’S MAIL BASKET	635
HELP NEEDED FOR NFB—CEIP PROJECT	637
REPORT ON THE KENTUCKY STATE CONVENTION by Harold Reagan	637
SENIORS—SPEAK UP AND BE COUNTED by Carolyn Helmer	639
DUAL MEMBERSHIP AGAIN	640
INCOME MAINTENANCE	645

BIKE FOR LIGHT PROJECT BRINGS ENLIGHTENMENT TO THE SAN FERNANDO VALLEY by Robert Acosta	646
THE MODEL WHITE CANE LAW IN THE STATES	647
MODEL WHITE CANE LAW	656
“HE WALKS BY A FAITH JUSTIFIED BY LAW. . .” by Jacobus tenBroek	658
RECIPES OF THE MONTH Offered by Eileen De Orian	663
NFB SONGS	665
BEATITUDES OF THE BLIND by Douglas Rambo	669
MONITOR MINIATURES	670

THE SEASON'S GREETINGS

In wishing its readers a full and abundant life in the year ahead, the Officers, Executive Committee members, and Staff of the National Federation of the Blind turn this year to Maimonides, the great Jewish philosopher and physician who was born in 1135 and who died in 1204. This man, with his high and gentle spirit, still walks the earth across the centuries. Maimonides expounded his famous "Eight Degrees of Almsgiving" as follows:

There are eight degrees in the giving of charity, one higher than the other. The highest degree, than which there is nothing higher, is to take hold of a Jew who has been crushed and to give him a gift or a loan, or to enter into partnership with him, or to find work for him, and thus put him on his feet that he will not be dependent on his fellow-men.

Lower in degree to this is the one who gives charity to the poor, but does not know to whom he gives it, nor does the poor man know from whom he received it. This is an unselfish, meritorious act comparable to what was done in the Chamber of the Secret in the Temple where the charitable would deposit alms secretly and the poor of better family would help themselves secretly. Related to this degree is the giving to the public alms-chest. One should not give to the alms-chest unless he knows that the officer in charge is reliable, wise, and a capable administrator.

Lower in degree to this is when the giver knows to whom he gives, but the poor does not know from whom he receives. An example of this are the great scholars who used to go about in secret and leave their money at the door of the poor. This is proper practice, particularly meritorious when the officers in charge of charity are not administering properly.

Lower in degree to this is when the poor knows from whom he receives, but the giver does not know to whom he gives. An example of this are the great scholars who used to tie up their money in the corner of their cloaks and throw them back over their shoulders. The poor would then come and take it without being put to shame.

Lower in degree to this is when one gives even before he is asked.

Lower in degree to this is when one gives after he has been asked.

Lower in degree to this is when one gives less than he should, but graciously.

Lower in degree to this is when one gives grudgingly.

The great scholars used to give a coin to the poor before every prayer and then they would pray for it is said in the Bible, 'As for me, I shall behold Thy face

through charity.'

* * * * *

CLEVELAND SOCIETY FOR THE BLIND:
NEW NOTIONS ABOUT THE SPIRIT OF GIVING

by
Kenneth Jernigan

The Cleveland Society for the Blind (accredited by NAC) has developed novel and unfortunate notions about the spirit of giving, and the NFB is now on the barricades in Ohio. As you read the following documentation, I am sure you will agree with me that the strongest possible action must be taken. When the rights of one of us are threatened, the rights of all of us are threatened. This is the bedrock principle of Federationism. We stand together, and we do it meaningfully.

As you read these letters and memos, I ask you to remember that the American Council of the Blind (which claims to represent the interests of blind people) has a subsidiary organization called the Randolph-Sheppard Vendors of America. I understand there are ACB members in the Cleveland area and that some of them are vending stand operators. As in Florida, one must wonder why the ACB did not learn about this problem and commence action. Now that the NFB is going to the barricades to protect the rights of the Ohio vending stand operators, the ACB might or might not be willing to give token assistance.

It is not merely vending stand operators who are threatened in the present instance, however. It is all blind people, all independent organizations of the blind, and all progressive agencies and programs. This is why I concluded my banquet speech in Chicago earlier this year with these words:

More and more of the blind are rallying to the cause, and many of the sighted are as dedicated to the movement as we are. An increasing number of the agencies are working with us, and there is noticeable improvement in the public attitude. Even so, the days ahead will be a time of serious challenge and conflict.

In stating our position perhaps we can do no better than paraphrase the words of William Lloyd Garrison, spoken over a century ago: We have determined, at every hazard, to lift up the standard of emancipation in the eyes of the nation. That standard is now unfurled; and long may it float--till every chain be broken, and every blind person set free.

We are aware that many object to the severity of our language, but is there not cause for severity? We will be as harsh as the truth, and as uncompromising as justice. We are in earnest. We will not equivocate--We will not excuse--We will not retreat a single inch--And we will be heard!

This is the watchword and the message of the new generation, the new breed of the blind. It is the force of Federationism. It is the spirit of the movement. I say to every blind person who hears these words and to every sighted person who is truly a friend of the blind that the need is great and the time is now. The issues are drawn.

As I conclude, I am sure you know what question I will ask you. Think carefully and don't respond unless you mean it--unless you are willing to give of your time, your money, your strength, and your spirit. I ask you now, as I have done before: Will you join me on the barricades?

October 18, 1972

Mr. John D. Twiname, Administrator
Social and Rehabilitation Service
Department of Health, Education, and Welfare
HEW South Building
Room 5006
Washington, D. C. 20201

Dear Mr. Twiname:

This letter is being written as a follow up to our telephone conversation concerning problems faced by vending stand operators in the Cleveland, Ohio, area. As I told you, some of these operators have contacted the National Federation of the Blind to seek help. The operators feel violations of the Randolph-Sheppard Act are involved. An examination of the facts convinces me that they're right. The Randolph-Sheppard Act is very specific as to what "set asides" may be taken by the agency from the earnings of operators.

The Cleveland Society for the Blind operates a vending stand program. Some of its stands come under the provisions of the Randolph-Sheppard Act. Others do not.

In any case serious moral and ethical questions are raised, as well as the legal issues. Vending stand operators should not be told that they must "contribute" to the United Torch Services (and in a given amount) or face the consequences. They should not be made to feel that, if they fail to comply, "set aside" percentages may be increased, paid vacations discontinued, and their very livelihoods threatened. Not only is this a perversion of the spirit of giving but it would also seem to be a violation of fundamental constitutional rights and of the federal law.

Since the federal Social and Rehabilitation Service administers the Randolph-Sheppard program and since the Cleveland Society serves as a nominee agency to operate Randolph-Sheppard stands, I now officially call this matter to your attention in my capacity

as President of the National Federation of the Blind. I herewith submit the following documentation: a memorandum dated September 5, 1972, from Mr. Cleo Dolan, Executive Director of the Cleveland Society for the Blind, to snack bar managers; a letter dated September 22, 1972, from the Cleveland Snack Bar Personnel Association to Mr. Dolan; and a memorandum dated October 6, 1972, from Mr. Dolan to the officers of the Snack Bar Association.

The tone of threat which pervades Mr. Dolan's September 5 memo is certainly not subtle. After some general talk about the Cleveland Society's relatively low contributions to the United Torch Services, Mr. Dolan says: "It is our strong belief that the Snack Bar Managers are among the greatest benefactors of the Society's program, of which we are most proud of our 'track record'. In fact, as we have mentioned to you many times, the average income for a full-time Manager is considerably higher than the average income of the total persons identified with the program." Is Mr. Dolan suggesting that the snack bar operators are well off and that they had better realize it--that the sheltered workshop employees and others connected with the Society's program make less money--and that today's snack bar operator may be tomorrow's something else? Taken in the context of the total memorandum, it is hard to avoid this interpretation.

To underscore the point, Mr. Dolan goes on to say: "For the above reasons we are anticipating and expecting the Managers to participate in the United Torch Service campaign at the same degree as our regular staff persons. . . . We have tentatively agreed among all of us who are so vitally involved in the United Torch Services campaign this year, that any gifts less than one-half of one percent of the total earnings of a worker would not be an acceptable pledge."

Mr. Dolan goes on to say that, in the past, the Cleveland Society has used a "soft sell approach" and "permitted those associated with the agency to do whatever they felt they wished. . . ." He then makes it clear that such permissiveness is at an end.

If Mr. Dolan puts such statements in writing, one has to wonder what he may be saying to the operators verbally and off the record. In any case the operators apparently felt that some resistance had to be made and some stand taken. Accordingly, they sent their letter of September 22 to Mr. Dolan. As you will see, the letter is not belligerent. It offers Mr. Dolan a way to save face. It gives him the out of saying that his original memo had been misunderstood, that no threats were intended.

But no! Mr. Dolan will not have it so. If anybody has misunderstood, he will see if he can put it even more directly. In fact, he seems to add to the original threats.

Mr. Dolan seems outraged that the operators have the temerity to stand up for their rights at all, even if politely--that they would dare question his authority. How else can one interpret his statements concerning the letter from the operators? He says: "We are particularly appreciative of the information as it greatly aids us in arriving at some impressions that we believe warrant further evaluation by the Board of Trustees and the

administrative staff related to several matters pertaining to the management of the Food Service Division. We are concerned that we have undoubtedly not provided sufficient strong administrative guidelines and have attempted to involve those who are employed to a greater degree, which apparently has weakened our program. We are continually receiving negative attitudes in relation to 'action contemplated by the Snack Bar Managers'. It is our belief that contrary to the apparent feeling of some of the Snack Bar Managers, the Food Service Division is part of the total agency's program. . . ."

I suggest that it is not unfair to paraphrase this statement from Mr. Dolan to the operators as follows: "We told you to give and to like it. You then had the nerve to complain about the way we run things, as if you thought you had some rights in the matter. Well, we will now teach you a lesson. Apparently we've not been tough enough with you. Maybe you have begun to take some of this talk about consumer participation seriously. It is time we taught you a lesson."

The final part of Mr. Dolan's letter is not only harsh and threatening but condescending and insulting as well. He lays it on the line in the following language: "Again, I personally doubt that you failed to get the message that we were attempting to communicate, and I think your interpretation was correct. Namely, we do feel strongly about the support of the United Torch Services and we doubt that further elaboration on the reasons should be necessary to this particular group."

The people I have talked to tell me that they "got the message." They also tell me that there is now talk of all kinds of punitive action. For instance, I hear comments that five-sixths of one percent (or some such figure) will now be added to the "set aside" fees taken from operators but that it will not be called by that name, being labeled "extra expenses" or something similar. I hear that other reprisals are also on the drawing board.

The National Federation of the Blind now asks you to investigate this matter and take any appropriate steps which may be necessary. Specifically, we ask you to see that operators are not required to contribute to causes not of their own choosing and that no pressure be put on them to do so, now or in the future. We ask that Mr. Dolan's directives concerning the United Torch Services be rescinded and that no reprisals (direct or indirect) be taken against the operators for the stand they have taken or the information they have given.

As I told you on the 'phone, the National Federation of the Blind is prepared to take this case to court if it must. We cannot sit by and watch this sort of thing happen to blind persons and not take action to stop it.

However, as I also expressed to you on the 'phone, we believe that court action will not be necessary. We think you will make a speedy investigation and take appropriate remedial action. Your conduct toward us has been uniformly courteous and considerate. You have demonstrated an interest in our problems and a concern to see that justice is done. Also, I must say that Dr. MacFarland and the other people in the Office for the Blind were

courteous and helpful when I called them for information about the Ohio vending stand program.

When you have looked into this matter, I ask that you give me a statement as to your conclusions and the actions which are being taken. I am sure you will agree that the situation is of some urgency and should be handled with expedition.

Cordially,

Kenneth Jernigan, President
National Federation of the Blind

THE CLEVELAND SOCIETY FOR THE BLIND
Inter Office Memorandum

Date Sept. 5, 1972

TO: Snack Bar Managers
FROM: Cleo B. Dolan
SUBJECT: United Torch Services pledge for 1973

As we mentioned to the group present at our Saturday seminar a few weeks ago, with the reorganization of the United Torch Services and a much greater attempt to get additional community participation, especially in the areas of those who have not felt it part of their responsibility to participate at the same degree of labor and the general giving community, there is a much closer scrutiny of agency giving among personnel and those who are benefitting through social agency employment.

In comparing the various agency giving practices of all social agencies in the community we were chagrined to learn that the Cleveland Society for the Blind giving has been among the lowest in the community, as we reported to your group. It is our strong belief that the Snack Bar Managers are among the greatest benefactors of the Society's program, of which we are most proud of our "track record". In fact, as we have mentioned to you many times, the average income for a full-time Manager is considerably higher than the average income of the total persons identified with the program. Secondly, your group benefits are probably more than you realize from the United Torch Services' fringe benefits. Furthermore, you are the recipient of all the benefits to the same degree, with one exception of about a dozen of our staff who belong to the United Torch Service Retirement System.

For the above reasons we are anticipating and expecting the Managers to participate in the United Torch Service campaign at the same degree as our regular staff persons. . . We see no reason or rationale as to why this should not be the case, for some of the reasons

mentioned above. Therefore, we are asking each person to give this campaign their greatest consideration in making their pledges this year. We have tentatively agreed among all of us who are so vitally involved in the United Torch Services campaign this year, that any gifts less than one-half of one percent of the total earnings of a worker would not be an acceptable pledge. It is hoped that most persons can do better, and if possible, consider their fair share "type of a pledge." Many of you are working in business locations where this is the practice of their employees, and you should not find this an unacceptable consideration. Granted, in the past our agency has taken a very "soft sell" approach and permitted those associated with the agency to do whatever they felt they wished, but if the campaign is to be successful, which is most important at this time, in view of the pressing social problems in our community, the loss of many job opportunities by the movement of industry away from the Cleveland area, the many conflicts regarding several drives for fund raising that have occurred in the past and an attempt to crystalize them into one, that this is the critical year for this campaign.

Finally, if those of us who have benefitted in one way or another through social agencies cannot prove our belief in the United Way, then how can we expect the general community to understand and be as generous as needed?

We do hope that you will give this matter your greatest consideration and assist the Cleveland Society for the Blind in raising its level of giving to a comparable position with the other social agencies in the community.

CBD:c

cc: Harry Jackson

Bruce Chaney

Food Service Divn. Personnel

- - - - -

September 22, 1972

Mr. C. B. Dolan, Executive Director
Cleveland Society for the Blind
1909 East 101 Street
Cleveland, Ohio 44106

FROM: Cleveland Snack Bar Personnel Association

Dear Mr. Dolan:

At our meeting of September 15, which was attended by more than 50% of our personnel, a lengthy discussion was held concerning the United Torch Drive and, most particularly, your memo of September 5 to all Snack Bar Personnel.

Our members were deeply concerned by both the tone the letter seemed to take and the context of some parts therein. The members felt the memo appeared to hold implied threats to any manager who did not contribute what you considered his proper share—"any gift less than 1/2 of 1% of a worker's total earnings would not be an acceptable pledge".

Our membership believes that pledges should be voluntary and that the individual making the gift alone can know in good conscience whether he can or ought to do more. You state in your memo that you can find "no *rationale* as to why we should object to this 1/2 of 1% because industry does so". We might point out that this is done usually under the same sort of pressure and coercion which your memo seems to imply. If this is the "hard sell" approach, as compared to previous years, we deeply regret that you felt the need to use it as it must certainly lower the morale of our personnel and create a deeper sense of division between those of you who are serving blind persons and those of us who supposedly receive them.

Because we do not feel that we are the same as workers in industry, but that we are rather to some degree a team with the Agency which exists only because we cannot see, we feel strongly that your message to us would have been received with much more sympathy by our personnel had you used more candor in explaining the Agency's position regarding the pressure it was under and had not been so negative in the letter's tone, but more positive in your trust that we would cooperate. By a unanimous motion, passed at our meeting, we asked our personnel to give *generously* but at their own dictates, based on their own personal situation. The motion also requested our officers to draft this letter to you apprising you of our concern about the inferences we felt your letter suggested.

We sincerely hope that we are misjudging this memo and that the innuendoes we have drawn from it were not at all its intent.

We feel that in the last several years great strides have been made toward better understanding and cooperation between the Agency and those it serves and we would deeply regret if any of this hard gained ground were lost over this current matter.

Respectfully,

SIGHT CENTER THE CLEVELAND SOCIETY FOR THE BLIND
1909 East 101st Street, Cleveland, Ohio 44106 * 791-8116

October 6, 1972

MEMO TO: Officers, Cleveland Snack Bar Personnel Association
FROM: Cleo B. Dolan
RE: United Torch Services Pledges

Many thanks for sharing your discussions, attitudes and related matters pertaining to our verbal appeal in July at the Snack Bar Seminar and our written communications pertaining to this subject. We thought we took a great deal of time at the July meeting to review the needs of why we thought the staff, officers and Board should be committed to the United Service campaign. Granted, the communication was emphatic as to our attitude about this subject and for some of the reasons we have given from time to time.

We are particularly appreciative of the information as it greatly aids us in arriving at some impressions that we believe warrant further evaluation by the Board of Trustees and the administrative staff related to several matters pertaining to the management of the Food Service Division. We are concerned that we have undoubtedly not provided sufficient strong administrative guidelines and have attempted to involve those who are employed to a greater degree, which apparently has weakened our program. We are continually receiving negative attitudes in relation to "action contemplated by the Snack Bar Managers." It is our belief that contrary to the apparent feeling of some of the Snack Bar Managers, the Food Service Division is part of the total agency's program, and the administration policies and related matters should be administered and stimulated in the best interest of the blind and visually handicapped as it relates to the total community, rather than for a few selected individuals who have been fortunate enough to benefit from this service.

We are enclosing a photo copy indicating the income of the Snack Bar Managers for 1971 and the first six months of 1972, along with the amount of the contributions made to the United Torch Services. We certainly agree that there are few persons employed who, because of circumstances could not contribute, or who made only a modest pledge, which probably was a great sacrifice to them. However, it will be noted that there are about seventeen persons who will make between \$12,000.-\$17,000. in 1972. Some of these incomes are more than that received by any of our administrative staff and they have devoted years to their education and experience at professional levels.

As we mentioned in our verbal communication to the group, and our written statement, those of us who have benefited from the United Torch Services, either through its services, fringe benefits, reputation or direct income, should be the first to demonstrate our dedication to the plan of united giving. As the chief administrator it is my personal feeling that I must share this type philosophy and encourage support accordingly.

Again, I personally doubt that you failed to get the message that we were attempting to communicate, and I think your interpretation was correct. Namely, we do feel strongly about the support of the United Torch Services and we doubt that further elaboration on the reasons should be necessary to this particular group.

CBD:c

FOOD SERVICE
STAND MANAGER - EMPL. & EARNINGS

1972 EARN.	1972 PLEDGE	1972 6-30-72	1973 PLEDGE
5,895	10.00	2,787	15.00
10,187	12.00	5,411	40.00
10,280	10.00	5,871	30.00
8,060	5.00	4,732	5.00
12,096	5.00	6,792	20.00
11,674	2.00	6,426	20.00
12,106	10.00	6,720	50.00
8,567	10.00	5,753	50.00
11,677	15.00	7,545	15.00
7,643	10.00	5,574	25.00
10,595	10.00	6,216	50.00
5,992	- 0 -	4,653	- 0 -
9,370	10.00	4,584	20.00
9,325	7.00	4,626	10.00
6,647	5.00	3,602	- 0 -
15,016	5.00	8,442	50.00
12,020	15.00	6,779	20.00
9,711	10.00	6,734	20.00
5,741	15.00	6,716	45.00
7,185	10.00	3,837	24.00
3,959	10.00	2,352	20.00
11,483	15.00	6,731	25.00
11,615	15.00	6,766	50.00
10,164	15.00	6,153	20.00
6,006	15.00	3,515	15.00
8,105	15.00	3,764	25.00
7,515	10.00	3,348	10.00
8,324	10.00	4,316	25.00
14,416	12.00	7,942	50.00
7,889	5.00	4,670	40.00
12,089	15.00	7,019	40.00
7,436	1.00	2,641	20.00
9,349	15.00	4,353	25.00
11,098	76.00	6,357	80.00
11,803	12.00	7,176	50.00
10,220	30.00	6,167	50.00
4,966	12.00	3,274	15.00
9,819	- 0 -	4,700	50.00

1972 EARN.	1972 PLEDGE	1972 6-30-72	1973 PLEDGE
6,048	10.00	4,510	30.00
7,876	10.00	3,862	- 0 -
12,034	12.00	6,144	50.00
10,454	25.00	4,593	35.00
6,680	24.00	3,154	33.00
4,969	10.00	4,425	25.00
3,749	- 0 -	3,400	15.00
3,054	5.00	2,055	10.00
5,220	5.00	2,252	5.00
5,241	- 0 -	3,063	40.00
6,500	5.00	5,085	50.00
5,265	5.00	3,062	40.00
5,319	5.00	2,853	10.00
2,653	5.00	3,732	25.00
3,286	22.00	1,845	25.00
4,136	24.00	1,948	25.00
- 0 -	- 0 -	1,224	10.00
1,808	10.00	1,002	10.00

LAWYERS DIVISION CHAIRMAN WINS JUDGESHIP

Lou Corbin of Florida, popular young chairman of the NFB Lawyers Division, waged a successful campaign for election to the office of County Judge. He will serve a four-year term.

Mr. Corbin reports that it was an interesting campaign, and a long one. Campaigning for the first primary began last May. Lacking any real grounds, his major opponent attacked Lou on his blindness. One of the duties of the office involves acting as coroner, in which case, said his opponent, he could not "view" the body. As Corbin explained, that is a very obsolete practice, since the county medical examiner, or a private physician who certifies the cause of death in homicide cases, does the examining. The blindness attack backfired. He won a three-man race handily in the primary. The run-off was October 3 and he won by 6617 votes—30,000 to 24,000.

The County Court has just been established. The judges will handle misdemeanors, civil actions up to \$25,000, act as committing magistrates in felony cases, handle traffic violations, and violations of local and county ordinances.

Mr. Corbin brings a background of well-mixed general law practice to his new position. As an active Federationist, he has worked on several organizing teams. *Monitor* readers

know that Lou Corbin was instrumental in carrying the Florida vending stand case to a successful conclusion. [See *The Monitor* for November, 1972].

For those of you who did not get to meet him at the Chicago Convention, Lou Corbin is 33 years old, has a gorgeous wife, and two lovely children. He lost his sight in a shotgun accident when he was six. He uses Braille, and readers to do his research about which he says: "The techniques of research are simple. The trick is knowing what it means." We join all Federationists in wishing him well in this new venture.

* * * * *

CURTIS CHONG HIRED BY FAA

[Editor's Note: Following is a report by Jack G. Webb, Director, APC-1, Department of Transportation, Federal Aviation Administration.]

The Pacific Region is fortunate to have hired in the Management Systems Division, Data Processing Branch, APC-67, a blind employee, Mr. Curtis D. M. Chong, who has demonstrated that a blind person is capable of becoming quite proficient in both the clerical and computer fields. Enclosed is a write-up on this particular young man.

What is significant about hiring this blind person is two-fold: (1) first hiring of the handicapped (blind) person in the Pacific Region, and (2) first blind person to be involved in the computer field within the State of Hawaii which includes all municipal, state, federal and commercial data processing organizations.

To date, Mr. Chong has demonstrated that he can accomplish several types of job assignments:

1. Taking, transcribing and typing oral dictation or information tape recorded.
2. Operating the IBM Card Punch (024 machine), with source data written in Braille.
3. Operating the IBM Sorter (083 machine).
4. Operating the IBM Collator Machine including simple control panel wiring.
5. Developing computer programs for the IBM 1401-G Computer System, including laying out report format specification.

We might add that Mr. Chong's accomplishments in this Region were not achieved automatically. Instead, every concerted effort was made to modify slightly the standard ADP techniques or to improvise procedures, thereby giving this blind young man every possible opportunity to enter the computer field.

The adjustments that were made, which are inexpensive and can easily be adopted anywhere in the agency to give another blind person the opportunity to make a career in the computer field, are as follows:

1. Using the standard typewriter and the Perkins Braille equipments to get around the handwriting requirement.
2. Using a small abacus to record card columns being sorted. Magnets were placed in the back of the abacus so that abacus is easily mounted on or removed from the IBM sorter machine.
3. Marking the IBM sorter machine pockets and stackers with Braille identification so that the blind can readily identify the pockets or stackers.
4. Using two punch cards punched with pre-coded data so that the card columns being sorted are known, giving the operator confidence and assurance the machine is operating properly.
5. Modifying the standard autocoder coding sheet format so that the blind person can type the computer program coding.
6. Making a simple L-shaped plastic instrument so that a card punch operator can easily read the typewritten data coded by the blind person.
7. Using standard stock paper so any oral instructions or computer program analysis can be written in Braille.
8. Using a light probe to identify whether a light is on or off, regardless of the different colors involved.

Although Mr. Chong was hired as a temporary Clerk-Typist, we have permanent plans to convert him to a computer programmer trainee. We are quite confident that this young man, because of his intelligence and determination, will pave the way for other blind people in the State of Hawaii.

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STANDARDS OF ASSISTANCE IN AID TO THE BLIND

There are now only six States which have a "floor" to relief in Aid to the Blind or a statutory minimum grant of aid. In the other 44 States the amount of aid granted is, in the terms of statutory direction, "sufficient to provide a reasonable subsistence compatible with decency and health" or similar language. Each State determines for itself what is the amount which is "compatible with decency and health," and the determinations vary widely, resulting in an average monthly grant of Aid to the Blind all the way from \$67.37 to \$170.17.

All States recognize food, clothing, shelter, and fuel and utilities as "basic" consumption items--that is, items needed by everyone. Most States also include such items as personal care, medicine chest supplies, and household supplies, and some States consider additional items to be needed by all persons. In addition to basic needs, many States recognize "special" needs that arise for some persons under specified circumstances, e. g., needs for special diets and transportation. To some extent, a State's fiscal ability to support needy persons is reflected by the consumption items included in its standard for requirements and by the amounts established as costs of these items.

Among the States the monthly total for basic needs of recipients of Aid to the Blind comes to a median amount of \$150. The full standard for basic needs was less than \$130 in 14 States, from \$130 to \$159 in 18 States, and \$163 or more in 18 States.

In some States, because of shortage of funds, money payments to recipients of Aid to the Blind are made below the amounts of determined need. Assistance payments in these States are limited by maximum or other methods of reduction. Some 22 States use this "ratable reduction" method in cutting down grants in Aid to the Blind.

In view of the wide variations among the States in providing for the necessities of life for needy blind Americans, one can only conclude that a decent minimum grant of aid, mandated by the Congress, would be a consummation devoutly to be wished.

* * * * *

MINNESOTA BLIND SUE

Our Minnesota affiliate has finally been forced to sue the Minneapolis Society for the Blind for the privilege of exercising constitutional rights. The Society administers many rehabilitation programs and runs a sheltered shop under contract with the State. These programs are, for the most part, funded by State and Federal tax dollars. Membership in the Society with voting privileges could be had with the payment of one dollar in annual dues. During 1970 and 1971, the blind joined in large numbers hoping to work with the Society to improve the programs for the blind. [See *The Monitor*, October 1972.] Some blind people were given token representation on the Society's Board of Directors. Dues, however, were raised rather suddenly to five dollars. When that did not cause the blind to drop out in significant numbers, the Society hit upon another method to disfranchise them. In April of 1972, it wrote to some hundreds of its blind members as follows: "We are returning your Five Dollars (\$5.00) in view of changes we have made in our membership program following action of our Board of Directors. Membership is no longer based upon financial contributions. . . ." No one not on the Board had ever heard, much less been advised, of the action of the Board of Directors. No charges as grounds for such expulsion were presented, nor hearings offered, nor any other explanation or information were forthcoming. All such action violates several Minnesota statutes.

Five Federationists have now sued for this violation of their constitutional rights. The

complaint is set forth below.

STATE OF MINNESOTA
COUNTY OF HENNEPIN

IN DISTRICT COURT
FOURTH JUDICIAL DISTRICT

James Brennan, Thomas
Scanlan, Maxine Schrader
Melvin Schrader, and Eric
Smith

Plaintiffs

COMPLAINT

vs.

Minneapolis Society for the
Blind, Inc.,

Defendant

Come now the plaintiffs and for their cause of action state and allege:

1. Plaintiffs James Brennan, Maxine Schrader and Melvin Schrader reside in Hennepin County, Minnesota. Plaintiffs Thomas Scanlan and Eric Smith reside in Ramsey County. Each of them is blind.

2. Defendant is a non-profit corporation, organized under the laws of the State of Minnesota, the general objects and purposes of which, as stated in its amended articles of incorporation, are "to further the welfare and happiness of blind persons by making available to them opportunities for personal independence and self-support through investigation, education, employment, training, recreation; and to aid in the prevention of blindness."

3. Among other activities, defendant engages in rehabilitating blind people, operating a "sheltered workshop" where blind people are employed, providing occupational training and therapy, operating a gift shop and sponsoring social events.

4. With respect to its rehabilitation and occupational training and therapy programs, defendant fulfills a social responsibility which but for its performance by defendant would devolve upon a public agency. Defendant closely cooperates with the Minnesota Department of Public Welfare in conducting its rehabilitation and occupational training and therapy programs and receives public funds for them from said Department.

5. Defendant is exempt from payment of all federal, state and local taxes.

6. The Minnesota Commissioner of Public Welfare is required by law to cooperate with defendant in the attainment of its stated purposes, and is authorized to pay defendant for vocational training of blind persons and for the establishment, maintenance and improvement of rehabilitation facilities and sheltered workshops.

7. All state and local public officials who purchase materials and supplies are required by law to purchase products and articles such as those produced by defendant when available on terms at least as advantageous as those from other sources.

8. Defendant has received and continues to receive public funds from the United States government through the Department of Health, Education and Welfare.

9. Defendant is a member of the National Accreditation Council for Agencies Serving the Blind and Visually Handicapped, which Council has received public funds from the United States government through the Department of Health, Education and Welfare.

10. United States government agencies are required by law to purchase certain commodities, including those produced by defendant, from defendant and similar agencies.

11. Defendant and other agencies similarly situated are, or upon application may be, exempt from certain federal and state minimum wage and collective bargaining requirements with respect to blind employees.

COUNT I

12. Prior to April 19, 1972, the Articles of Incorporation and Bylaws of defendant permitted any person to become a member thereof "upon favorable action of the Board of Directors and payment of membership fees or dues." On information and belief, at that time defendant had approximately 1900 members.

13. In November, 1970, the Board of Directors of defendant was comprised of 24 directors and the elected officers of defendant, a total of 30 directors, none of whom was blind. Plaintiffs and other blind persons in November, 1970, requested defendant to admit three blind persons to membership on the Board of Directors. Defendant, through its Board, refused.

14. During the period from November, 1970 through May, 1971, plaintiffs and other blind persons met with staff employees and Directors of defendant, renewing their request for blind representation on defendant's Board and presenting many suggestions and grievances concerning the operation of defendant's programs. Among said grievances were the complaints of sheltered workshop employees and others that seniority was not being adhered to, that blind people were being laid off while sighted persons were retained, that wages should be increased to the level required of other employers by minimum wage laws, that the percentage of sighted persons in the workshop was too high, thus endangering its status under federal law, which permits no more than 25 percent of such employees to be

sighted or without handicaps, that defendant's employment policy and practice manual should be modernized and its paternalistic posture toward the blind eliminated, that blind persons should be given broader opportunities to perform tasks before they are assigned to sighted persons and that no blind persons sat on the Board of Directors, the Investment Committee or the Executive Committee. None of said suggestions or grievances was acted upon affirmatively.

15. During the period from June, 1971, through December, 1971, plaintiffs paid the required \$1.00 membership fee and joined as members of defendant. During said period several additional meetings were held by plaintiffs and other blind people of similar views with representatives of defendant at which suggestions for changes were made and rejected.

16. In or about October, 1971, defendant's Board of Directors added to the Board four blind people, three of whom were unknown to plaintiffs and none of whom had been among those expressing grievances or making suggestions for the improvement of defendant's programs.

17. On or about November 16, 1971, plaintiffs and others, most of whom were members of an organization named National Federation of the Blind of Minnesota, Inc. (hereinafter referred to as the "Federation"), met with the blind Directors of defendant and secured their agreement to propose an amendment to defendant's By-laws providing for open meetings of defendant's Board of Directors rather than the secret meeting which was defendant's policy.

18. On December 15, 1971, the Board rejected the proposal for open meetings, raised the membership fee from \$1.00 to \$5.00 and authorized itself to expel persons from membership without notice.

19. On November 29, 1971, a blind person who was a member of both defendant and the Federation wrote to defendant requesting a copy of defendant's current by-laws. Defendant refused said request until January 3, 1972, one day before the deadline set forth in said by-laws for nominations other than those made by the official Nominating Committee for Directors to be elected at the annual meeting. Said by-laws required any nominations other than those made by the official Nominating Committee to contain the endorsement of 25 members and be submitted "to the Society" at least 15 days prior to the annual meeting.

20. At defendant's annual meeting on January 19, 1972, plaintiff Maxine Schrader moved to open nominations for the office of Director. The chairman ruled her motion out of order. When a blind person who was a member both of defendant and the Federation sought to introduce a resolution proposing that defendant's Board meetings be open to the public, the meeting was summarily adjourned.

21. During the period January 19, 1972, to April 18, 1972, plaintiffs each renewed their memberships, paying the newly required \$5.00 membership fee.

22. On April 19, 1972, defendant's Board purported to amend its Articles of Incorporation and By-laws, limiting membership in defendant to those on its Board of Directors and expelling all others. In adopting said purported amendments defendant failed to comply with the requirements for amendments of articles and by-laws set forth in Minnesota Statutes section 317.27

23. On April 20, 1972, defendant, through its Executive Director, wrote to plaintiffs announcing said purported amendments and enclosing plaintiffs' \$5.00 membership fee. In making said payments defendant failed to comply with the requirements of Minnesota Statutes section 317.26

24. On information and belief, plaintiffs were the only members among the 1900 members of defendant who received defendant's letter of April 20, 1972 and a payment of \$5.00.

25. Defendant, in failing to provide reasonable rules of membership, admission, retention, suspension and expulsion and in expelling all members save those who were members of the Board of Directors, failed to comply with and violated Minnesota Statutes section 317.25 and did so illegally and unlawfully.

COUNT II

26. Plaintiffs reallege paragraphs one through twenty-five.

27. In the alternative, in singling out plaintiffs for notification of their expulsion and in purporting to return their membership fees while remaining silent and retaining said fees with respect to all other members, defendant in fact and in effect expelled only plaintiffs from membership in defendant. In so doing, defendant violated the requirements of Minnesota Statutes 317.25 that rules of expulsion be equally enforced as to all members of the same class and illegally and unlawfully expelled plaintiffs.

COUNT III

28. Plaintiffs reallege paragraphs one through twenty-five.

29. The programs, operations and essential character of defendant are so imbued with public and governmental interest that action of defendant is action of the State of Minnesota.

30. Plaintiffs have been expelled from and denied membership in defendant without due process of law in violation of the Fourteenth Amendment to the United States Constitution and Article I, Section 2 of the Minnesota Constitution.

31. Defendant has refused plaintiffs access to its membership and its Board of Directors and has thereby infringed plaintiffs' freedom of speech in violation of the First

and Fourteenth Amendments to the United States Constitution and Article I, Section 3 of the Minnesota Constitution, denied plaintiffs due process of law in violation of the Fourteenth Amendment to the United States Constitution and Article I, Section 2 of the Minnesota Constitution, and denied plaintiffs the equal protection of the laws in violation of the Fourteenth Amendment to the United States Constitution and Article I, Section 2 of the Minnesota Constitution.

COUNT IV

32. Plaintiffs reallege paragraphs one through twenty-five.

33. Defendant, acting under the color and pretense of the statutes, ordinances, regulations, customs, and usages of the State of Minnesota, discriminated against plaintiffs in expelling them from membership and in denying them equal access to membership on its Board of Directors because of their attempts to exercise their right of free speech, denied them due process of law in expelling them from membership and in denying them equal access to membership on its Board of Directors and in so doing subjected plaintiffs to the deprivation of said rights, privileges and immunities which are secured by the United States Constitution, in violation of the Civil Rights Act of 1871, 42 U. S. C. Sec. 1983 (1971), 17 Stat. 13 (1871).

COUNT V

34. Plaintiffs reallege paragraphs one through twenty-five and paragraph thirty-three.

35. Defendant, its staff employees and members of its Board of Directors, conspired for the purpose of depriving plaintiffs of the equal protection of the laws and equal privileges and immunities under the laws, as aforesaid, in violation of the Civil Rights Act of 1861, 42 U. S. C. Sec 1985 (3), 12 Stat. 284 (1871).

WHEREFORE, plaintiffs pray for judgement and an order of the Court:

1.) Declaring null and void the purported amendments to the Articles of Incorporation and By-laws of defendant adopted on April 19, 1972 and all actions taken in consequence thereof;

2.) Requiring defendant to reinstate plaintiffs as members;

3.) Requiring defendant to adopt reasonable rules governing admission, suspension and expulsion of members, including, with respect to suspension and expulsion, the right to notice and hearing, and to enforce them equally with respect to members of the same class;

4.) Prohibiting and permanently enjoining defendant, after reinstatement of plaintiffs, from expelling plaintiffs or any of them without first providing reasonable notice and hearing;

5.) Prohibiting defendant from refusing plaintiffs and others equal access to membership on its Board of Directors;

6.) Requiring defendant to make its Board of Directors, Executive Committee and Investment Committee meetings open for public attendance;

7.) Prohibiting defendant from discriminating in any way in the conduct of its programs or operations against persons on account of their membership in, affiliation with or relations with the National Federation of the Blind of Minnesota, Inc.;

8.) Requiring defendant to restructure its Board of Directors, Executive Committee and Investment Committee to provide majority membership thereon by persons elected by the blind community;

9.) For its costs, disbursements and attorney's fees herein;

10.) For such other or further relief as the Court may deem just and equitable.

HEAD & TRUHN

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* * * * *

MEET OUR STATE PRESIDENT--HARVEY WEBB
AND MEET OUR STATE AFFILIATE--THE NFB OF LOUISIANA



I was born in Calhoun City, Mississippi, on October 12, 1929. I attended the Mississippi School for the Blind through high school and moved to Louisiana three days after graduation.

I attended the Louisiana State University in Baton Rouge for a couple of semesters, and in the wisdom of post-puberty, thought I would rather work for a living, so I went to work at the Mississippi Industries for the Blind. Ever since making that decision, I've questioned giving eighteen-year-olds the vote. Hopefully, this generation is smarter.

Most of my time since then has been spent in the music business. I play clarinet and sax. I have really worked some bigtime gigs: service station openings, strip shows on Bourbon Street, a traveling carnival in Missouri and Kansas, and Mardi Gras parades in New Orleans. Thankfully, there were some good jobs scattered amongst these disasters.

For a short while I worked in a chair factory in my home town, and I also did a stint as typist for the Department of Public Welfare in New Orleans.

After Adele and I married in 1962, we returned to Morgan City and opened a music store here, but after a few years we decided that was a bit confining, so we sold the business, but kept the building which we then leased. Now, we are in the real estate game. We have some rental apartments, and have an interest in a land development company.

My affiliation with the NFB extends back to the mid-fifties. My first national Convention was in New Orleans in 1957. I was in on the first effort to organize Mississippi back in 1956 or 1957, also on the one that worked in 1972. We Federationists can be tenacious.

The Louisiana affiliate was formed on June 17, 1972 in Baton Rouge, and we were off

to a good start with some one hundred and eighty people in attendance at the organizing meeting. On Friday, July 21, a meeting was held in Lafayette for the purpose of forming the first local chapter of the NFB of Louisiana. The heavens poured out blessings in liquid form that Friday night, so we did not have as many present at the meeting as could have been. However, those present were very enthusiastic and farseeing in their planning. John Lemaire was elected president and they were off. Time, but not much, passed but things were moving. Alfred Blakes, second vice-president of the State affiliate, was not letting grass grow under his feet up in the Monroe area. He was the prime mover in setting up the meeting on August 28, at which time the Ouachita Parish Chapter was formed. Thirty were present for the organizational meeting, a constitution was adopted, and officers, headed by W. C. Katon as president, were elected. It seems that half of the Crescent City population gave us a hand in establishing the Greater New Orleans Chapter. Of course, New Orleans is a big city, and transportation can be a problem. Nevertheless, even on short notice and having to change the time and date of the meeting, there were still about fifty present for the formation of this chapter. It is led by a great slate of officers, with Peter Piazza serving as president. On Friday, October 6, a meeting was held in Alexandria to form a local chapter in that area. About 35 people were present to launch the Central Louisiana Chapter of the NFB of Louisiana. They elected J. W. Roshto as president. Plans are afoot for Baton Rouge.

We have begun our bi-monthly *Newsletter* and are considering various fund raising schemes. Our initial effort will be in the form of a sale of Braille ash trays. We also hope to have a booth at the state fair in Baton Rouge. As you see, we are moving along and the rest of the NFB will be hearing from us.

TIP YOUR HAT TO THE GOLDEN STAR CHAPTER

The Golden Star Chapter is one of the newest of the thirteen in the NFB of Iowa. In September the chapter celebrated its first anniversary with a banquet. The president and officers of that chapter gave a lesson in organizational know-how to every other chapter in the country. They took advantage of time, location, and personnel worthy of professionals.

The chapter represents blind people from a number of towns in the north-central part of the State. The meeting was in the town of Hampton, which is surrounded by a rural scene right out of everyone's memory book—especially on that September day—lush fields, ripe for harvesting, neat farm houses, freshly painted, bursting-at-the-seams barns, glimpses of willow-shaded streams—unbelievably peaceful in the late afternoon sun. The banquet was held at the Drierdale Restaurant which served food as good as one might expect in a town with a large number of Scandinavians—too much and ever so delicious.

The chapter president is Jerry Eckman, the vice-president his wife JoAnn, and the secretary-treasurer, Gene Collins. This may be a new chapter, but they handled the affair with skill. Not many chapters can boast of having at one meeting NFB President Kenneth Jernigan; State President Sylvester Nemmers and his wife; the Mayor of Hampton, Dan

Artley; the Mayor of Iowa Falls, Joe Huibsch and Mrs. Huibsch; the President of the Hampton Lions, Keith Hildreth and Mrs. Hildreth; the President of the Iowa Falls Lions, Hans Lovig and Mrs. Lovig; and KIFG (Iowa Falls) newscaster Al Pool and his wife. Each speaker had words of support and encouragement.

Among all the honored guests, outside the organizational family, one was to be more honored than the rest, Mrs. Don Yadon. She is the wife of the owner and president of United Hydraulics which has plants in Hampton and Waverly. Mrs. Yadon also works in the firm. She has been instrumental in the hiring of the three blind men currently employed. When she expressed a willingness to consider hiring blind persons, equipment of the kind used in the plant was set up in the Iowa Commission for the Blind for training and demonstration.

Jerry Eckman, the first one hired, did a tremendous job of personal relations as well as on the turret lathe he operates. Mrs. Yadon thought the plant could use more blind people like Jerry. At an Employers Dinner at the Commission for the Blind she met Gene Collins, and hired him the next week. He runs a large drill press. Scottie Martin, another blind turret lathe operator, was hired away from a competitor. Mrs. Yadon likes to tell that she stopped by Scottie's place to see if he was settled in and how astonished she was by his abilities as a housekeeper.

While she recounts with pleasure the accomplishments of her blind employees, Mrs. Yadon is most emphatic in pointing out that they would not be working for United Hydraulics if they were not doing competitive, productive work. So hats off to "the blind guys," to Mrs. Yadon and the rest of the community for their belief in and support of the blind people who make up the Golden Star Chapter.

* * * * *

LEGISLATION OF THE 92nd CONGRESS

With the enactment of the Social Security Amendments of 1972, the National Federation of the Blind has achieved five of its long-sought objectives: a presumed minimum need for Aid to the Blind; some liberalization in the eligibility for disability insurance for the blind; larger amounts of exempt income from any source; coverage of disability insurance beneficiaries with Medicare; and the exemption of all income and resources necessary to implement a plan for self-support for blind recipients without any rigid time limits.

The 92nd Congress adjourned *sine die* on October 18, 1972 and now belongs to history. When the 93rd Congress meets on January 3, 1973 all proposed legislation which did not become law will have to be introduced anew and new actions taken. The following pieces of legislation passed by the Congress are the ones of special interest to blind persons.

1. The 1972 Amendments to the Social Security Act. On October 14th the Senate and

House conferees agreed on a compromise bill covering the 1972 Amendments to the Social Security Act. On October 17th both the Senate and the House approved the conference report and the bill was sent to the President who signed it on October 30th.

Cut out entirely from the bill were both the President's Family Assistance Plan for Aid to Families with Dependent Children and the Senate's plan to pilot test three different proposals. The final bill's cost will be \$6 billion, pared down by the conference committee from the \$18 billion contained in the Senate version, in the hope of avoiding a presidential veto. Many benefits were thus eliminated.

Contained in the bill are the following changes in the public assistance and Social Security programs:

A substantial increase for 3.4 million widows who will now receive 100 percent of what their husbands would have been entitled to in Social Security benefits instead of the 82½ percent as at present. (Effective January, 1973)

A Social Security disability beneficiary will be covered under Medicare after he has been entitled to disability benefits for not less than 24 consecutive months. (Effective July 1, 1973)

An increase from \$1680 to \$2100 a year in the amount a person above the retirement age can earn without loss of Social Security benefits. (Effective January, 1973)

An increase in Social Security payments for those who work beyond age 65 by one percent for each year between 65 and 72. (Effective for the year 1974)

A new special payment of \$170 a month for anyone covered under the Social Security system for thirty years.

Payment under Medicare of the costs of kidney machines and kidney transplants for sufferers from chronic kidney disease.

The bill also federalizes the welfare programs for the three million recipients of the aged, blind, and disabled programs and gives them a national floor or minimum payment for the first time. They will be guaranteed \$130 a month for an individual, \$195 for a couple. Those who also receive Social Security benefits--and about half of them do--will be guaranteed \$150 a month, \$215 for a couple. In other words, \$20 of Social Security benefits or income from any other source will be exempt. There will be an exemption of \$65 a month in earned income plus one-half of all earned income over \$65. A person may not have more than \$1500 in cash, \$2250 for a couple. In determining the amount of resources, the value of the home, household goods, personal effects including an automobile, and property needed for self-support would, if found to be reasonable, be excluded. Life insurance policies would not be counted if the face value of all policies was less than \$1500.

There will be an eight-dollar "pass on" (instead of the present four dollars) for those recipients who also receive Social Security--until January, 1974.

A recipient would not be eligible for food stamps or surplus commodities.

Any State, in determining eligibility for supplementary payments, may disregard amounts of earned or unearned income in addition to other amounts which it is required or permitted to disregard and shall include a provision specifying the amounts of any such income that will be disregarded, if any.

States wishing to pay an aged, blind or disabled person amounts in addition to the Federal supplementary security income payment would be free to do so. There would be no direct Federal participation in the costs of State supplemental payments. However, a savings clause is included under which the Federal Government would assume all of a State's costs of supplemental payments to maintain the State's assistance levels in effect as of January, 1972. The savings clause would also cover an upward adjustment over the January levels to the extent necessary to offset the elimination of food stamp eligibility.

The Federal Government will administer these adult aid programs entirely and pay the two billion dollar a year cost. These new programs become operative on January 1, 1974.

2. There will be a reduction from six to five months in the period a disabled person must wait before he can receive Social Security disability benefits. (Effective January, 1973)

3. There is a requirement for the issuance of a Social Security number to each child entering school. (Effective January, 1973)

4. There are created professional standards review organizations composed of physicians to check on waste in provision of care to elderly patients.

5. The requirement that all States must provide comprehensive Medicaid services to the poor by 1977 has been repealed. (Effective upon enactment)

6. Permission is given to the States to cut back their Medicaid services. (Effective upon enactment)

7. There is a requirement that Medicaid recipients pay a part of the cost of their care when able to do so.

8. Insofar as Disability for the Blind is concerned, the law contains provisions eliminating the requirement of 20 out of the last 40 quarters of covered employment preceding the onset of disability as a criterion for eligibility for cash disability insurance benefits. As a result, a blind person who is unable to work could qualify for cash benefits if he is fully insured for Social Security purposes. The definition of fully insured status varies with each individual case from a minimum of six quarters in covered employment to forty

quarters (one quarter of coverage for each year from 1950 to the onset of disability or one quarter of coverage from the time the individual reaches age 21 to the onset of disability, if later.) (Effective January, 1973)

9. In June, 1972 the Congress passed a 20 percent increase in retirement and disability benefits, effective September 1. The President reluctantly signed this bill on July 1st since it was veto-proof, being attached to a required increase in the national debt ceiling. The bill also carries an escalator clause to automatically increase Social Security benefits if the cost-of-living increases by 3 percent or more in any one year, beginning in 1975.

10. The Model White Cane Law for the District of Columbia was passed and signed by the President on October 21, 1972.

11. A long-sought legislative goal was achieved through the sole efforts of the National Federation of the Blind with the enactment of a proposal prohibiting the exclusion of blind persons, on the basis of their blindness, from educational programs receiving Federal financial aid. This bill was signed by the President on June 23, 1972.

12. Amendments to the Older Americans Act contained many provisions designed to help older handicapped persons. However, it was vetoed by the President on October 28, 1972.

13. The Rehabilitation Act of 1972 contained many liberalizing amendments and others of doubtful value. The President also vetoed this bill on October 27th. The proposed amendments to the Randolph-Sheppard Act were attached to the Senate version of the Rehabilitation Act of 1972 but were stricken in conference as not being germane.

Thus endeth the 92nd Congress of the United States.

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“SPECIAL CONCESSIONS TO THE BLIND” A LETTER TO THE EDITOR

[Reprinted from *Focus* for June 1972, the publication of the Dominion Association of the Blind, New Zealand.]

I read with great interest (in the December 1971 *Focus*) of the reduction in scope of the concessions offered to blind people by New Zealand Railways.

I feel that we might usefully be debating the under-lying assumptions and concepts of such concessions, and their relevance, or otherwise, to the role we, as individuals, would wish to play in society.

It is generally recognized that minority groups who claim the rights and responsibilities

for full citizenship cannot, at the same time, claim a privileged position within the community.

On the one hand, we appear to claim the rights and opportunities of competitive employment, (and, in some instances, the responsibilities of the employer); we regard ourselves as eligible as tenants and property owners; we maintain our fitness to assume responsibility, not only for our own lives, but the lives of our dependents. In short, we believe the lack of sight does not disqualify us from taking a normal place in society. Yet, we take for granted that, because of our blindness we will enjoy certain concessions which must, surely, have been granted in the days of the Means-Test pension, when it was reasonable to assume that the vast majority of blind people were among the economically deprived.

Two areas of concession come to my mind. The first is the area of concessions on transport—free passes on local transport in the major cities, reduced rate on 'planes, half fare on local and, until recently, on long-distance express trains. In the case of trains, these concessions could be extended to a sighted guide. This is obviously open to abuse, as the sighted companion might well be a bonafide traveller who would be making the journey irrespective of their companion's blindness. It is also pertinent to point out in this connection that many a blind person can undertake a long-distance train journey alone, more readily than routine bus trips to the local supermarket. It seems to me, at least, that the concept underlying these concessions was just that concept of blindness that we all want to discard, the concept of blind people as automatic recipients of charity and free handouts. To me, a reduction in these concessions would seem to indicate recognition of our increased independence and economic capacity.

The second main area of concessions poses a rather different situation. It is the field of postal concessions on braille letters, literature and other articles indicated as "articles for the blind." In this country the concession is total. Such items pass post free. Obviously, in the case of braille books and letters their normal postage rate by weight would be high compared with printed books and handwritten letters. I fully support the free circulation of braille books by the library. This concession could be granted to a service rather than to individuals. But why, oh why, should we be able to send letters to our blind friends without a stamp? Couldn't the concession on braille letters tie it to the minimum charge for ordinary letters? I can think of other concessions, such as that offered by local authorities who allow special rates for the registration of Guide Dogs, which is considerably lower than that for other working dogs. My attitude to such concessions is of a piece with that expressed above. I may be an iconoclast, but I believe firmly that while we ourselves are making two opposed claims on society, so long will we fall between two stools.

(Anne Clark)

POSTAL SERVICE THINKS IT MAY START SELLING MORE THAN STAMPS

by
Timothy D. Schellhardt

[Reprinted by courtesy of *The Wall Street Journal*. From *The Wall Street Journal's* publication of May 22, 1972.]

You may soon be going to your neighborhood post office not just to mail Aunt Agatha's birthday gift, but to buy it, too.

Would she like a colorful Renoir print? Or a richly illustrated book, "This Island Earth," from the National Aeronautics and Space Administration? How about getting her into stamp-collecting with a \$6.98 "starter" outfit?

Your friendly postal clerk will be selling these items, and dozens more, if U. S. Postal Service officials are pleased with results of a year-long test program being conducted in four cities. The postal store—or "Postique" as it's called in at least one of the cities—has been established in Chicago, Memphis, Detroit and Columbus, Ohio. Small red-carpeted outlets in the lobbies of the cities' main post offices are selling items ranging in price from two cents to \$12. The initial wares are mostly the products of government agencies, but more nongovernment stock is likely later.

Postal officials are enthusiastic about the new retail concept and hope it catches the public's fancy. "The post office should be thought of as a retail store," asserts William Dunlap, assistant postmaster general for product management. He notes that people used to go to the general store to pick up their mail. "We just want to revive that idea, turn it around some, and have customers come to the post office to do their shopping," he says.

The postal store, officials say, also would enhance the customer-oriented image the new semi-independent postal service seeks to build.

Some mail users would disagree. Many grumble that the stores would only divert the service's attention from its primary task: improving the delivery of letters and packages. But Mr. Dunlap counters that few of the service's 720,000 employees will be involved, and that the postal-packaging items the stores sell will result in better-wrapped parcels and fewer damage claims.

What especially intrigues postal managers about the stores is their profit potential. The service expects the average outlet will gross about \$100,000 annually in revenue, with profit at about \$45,000, or 45%. (The markup for a four-color poster blow-up of a stamp, for example, is 1054%. It retails for \$1.50 and the wholesale cost is only 13 cents.

The service has only to look to neighboring Canada to assess the success of the postal-stores concept. In a suburban Toronto shopping center, the Ontario Postal Region last year opened a postal outlet sporting blue and white striped walls, colorful plastic display

cases, uniformed clerks. The store sells items ranging from inexpensive stamp-collection items to Indian crafts retailing at over \$150 and 15-piece sets of gold medallions (of Canadian prime ministers) selling for \$570. (You can buy a silver set for only \$45.)

Canadian postal officials won't disclose publicly the revenues and profits of their postal stores, but privately they say the results have matched those anticipated by the U. S. Postal service at its stores. The success of the Toronto shopping center outlet prompted the Ontario Postal Region to open additional Outlets in the lobbies of 35 post offices.

The response has exceeded expectation, says Frank Caron, director of marketing for the Ontario Postal Region. In only a few months, for example, the stores have sold almost \$100,000 of the medallion series. The Canada Postal Service received \$20,000 of that.

Another item, a 25-cent Canadian-flag lapel pin, has been even more popular; 50,000 have been sold.

For the most part, the four U. S. postal stores are selling postal-connected items, including philatelic and mail-preparation items. At Memphis, for example, customers can purchase any of 33 philatelic products, including stamp books, albums and catalogs. (The store isn't involved in the stamp-trading business.) Mail-preparation items offered include six different kinds of boxes, padded shipping bags, wrapping materials and tape.

At Memphis, 25 of the top-selling National Gallery of Art reproductions are being offered for 50 cents apiece. Customers also can purchase any of 100 books and pamphlets published by the government printing office. The selections range from "Wild Hemp (Marijuana) How to Control It" and "How to Buy Meat for Your Freezer," put out by the Agriculture Department, to several tax guides from the Internal Revenue Service and more expensive books from the Interior Department and NASA.

The service's Mr. Dunlap says the store concept can be expanded very rapidly. If the test results are favorable, and officials believe they will be, dozens of other such retail outlets may be set up in the lobbies of many of the nation's 32,000 post offices. Postal stores are expected to be opened later this year in Bergenfield, New Jersey; Tulsa, Oklahoma; Kansas City, Missouri; Pensacola, Florida; Atlantic City, New Jersey; and Lima, Ohio.

FROM THE PRESIDENT'S MAIL BASKET

October 15, 1972

Dear Doctor Jernigan:

I enjoyed your speech fine at the Convention. I listened at it the other night. We meet

all kinds of people. Some people think the blind are crazy, and I guess some of us are, and I guess I am one of them. There is some blind people that don't know much, as same as there is sighted people. There is a few that can't do nothing, and some that don't want to do nothing, and some that don't have the chance to do nothing; and there is some that don't give a damn, just like some sighted people.

I guess it takes all kinds of people to make a world. A man asked a blind friend of mine one day how old he was. He told him how old he was. Then the man turned to his wife and said, "Does he know?"

I have had people to ask if I could feed myself. Some will ask if you can tell if you eat too much. A blind man here in our town said a man walked up to him one day and asked him if he could tell when he was cold. He said, "No, somebody wraps a blanket around me when I get cold." Some people will ask if you know where you are.

My wife and I was going on a bus a while back. There was a man on the bus that I knew back when we was boys. I don't know where he got on the bus. He said to my wife, "Ask him if he knows me." She asked me, and he told her who he was and we talked all the way to the next town, where we had to change buses.

We had to wait about three hours on our bus. After us talking all that while, he said to my wife, "Ask him if he wants to go to the restroom." Why didn't he ask me? I have been there so much I know where the restroom is.

We have a hard time getting to our home town now. They took the bus off that went up that way about three or four years ago. I don't see why they can't run a bus through there and pick up what little they have as they go through. It takes us a hard day to get there now. We have to go plum into the next State now and wait on the next bus, and it just runs on Friday and Sunday now. We can't get up there very much any more to look after our place. That is one reason we would like to move up there. My wife isn't able to make these long trips any more. I am not in very good health either. If they ever make any changes in the social security laws, let us know.

I guess you know [names of two friends] as I have told you about before. They got married before we did. A few years back they decided they wanted insurance. I think they called every place in town. When they called a place and told them they was blind, they would tell them another place to call. He never did get any. I don't think he wants any now. They're both in bad shape now. She couldn't hardly get around, and awhile back she fell and broke her hip. She has to use a walker most of the time now.

I guess a lot of this sounds crazy.

Yours truly,

HELP NEEDED FOR NFB-CEIP PROJECT

Last spring an original pen and ink drawing by an art student at Wesleyan College in West Virginia was donated to the Cultural Exchange and International Program Committee of the National Federation of the Blind. First quality prints were made of the drawing which the artist calls "*The Old Shack*." These prints are suitable for framing and can be used as a picture in a home or office or would be outstanding when mounted on a mat. The National Federation of the Blind financed the reproduction of these prints for the benefit of the NFB-CEIP Committee, and the Committee is seeking a market through the affiliates and responsible individuals for the sale of the prints.

The prints are eight and a half by eleven inches in size and sell for one dollar each. They were exhibited, advertised and sold during the NFB Convention in Chicago. Each one is packed in an envelope with a protective chip board inside and can be mailed first class for a dollar and sixteen cents. The committee has opened a bank account in its name in Kansas City, Missouri at the Linwood State Bank. Eventually the money will be used to help the Colorado affiliate of the NFB in its cost of preparations for shipping Braille equipment overseas. Also, the Committee wants to help with the wider circulation of the *Braille International*. Several people took prints for sale in their own localities, and the Committee is offering twenty-five cents on the dollar to any affiliate or responsible individual of the NFB who wishes to make a market for the prints for the benefit of the Cultural Exchange and International Program Committee. An order of prints will be sent on a consignment basis upon request.

Please contact Robert L. Hunt, Chairman, NFB-CEIP Committee, 13 Myrna Street, Buckhannon, West Virginia, or any member of the Committee for information. Other Committee members are: Frank Smith, Acting-Treasurer CEIP Committee, Idaho Commission for the Blind, 2417 Ellis Street, Boise Idaho 83702; Ned Graham, 3511 Berwyn Avenue, Baltimore, Maryland 21207; John McCraw, 503 Cherry Hill Road, Baltimore, Maryland 21225; William Corey, 2142 Perrysville Avenue, Pittsburgh, Pennsylvania 15214; Dr. Isabelle Grant, 801 Radcliffe Drive, Davis, California 95615; Gwen Rittgers, 2627 Lister Avenue, Kansas City, Missouri 64127; John F. Nagle, Consultant, Suite 212 Dupont Circle Building, 1346 Connecticut Avenue N. W., Washington, D. C. 20036.

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REPORT ON THE KENTUCKY STATE CONVENTION

by
Harold Reagan

The 1972 State Convention of the Kentucky Federation of the Blind was held in the Midtown Holiday Inn in Louisville, Kentucky on September 15-16. It was no doubt our most successful State convention thus far. There was a spirit of unity and good fellowship throughout the convention.

The social in the Ascot Room on Friday night was well attended, providing loads of fun for all. Betty Nicely, president of the Louisville Association of the Blind our host affiliate, was in charge of the event, doing her usual fine job as hostess. The music for the evening was by the Melodians, a fine singing group of the Louisville Association of the Blind. There were door prizes and refreshments.

President Whitehead called the business meeting to order on Saturday morning at 9:30 in the Bristol Room. Donald C. Capps, First Vice-President of the National Federation of the Blind, presented greetings from the National headquarters. Don and Betty were present during most of the convention, being inspiring and enthusiastic representatives of the NFB.

After the various committee reports, the Lexington chapter of the KFB was formally accepted as an affiliate. Frank Collins is president of the new organization. The presidents of our six State chapters gave fine reports on the activities of their organizations. Some of the Kentucky delegates to the Chicago Convention of the NFB gave brief reports on the highly successful Chicago Convention.

The following officers were elected to serve for the ensuing year: R. E. Whitehead of Louisville, president; Pat Vice of Frankfort, first vice-president; Letcher Vanderpool of Covington, second vice-president; Ernest Bourne of Louisville, third vice-president; Peggy Peak of Louisville, recording secretary; Marie McCullough of Louisville, corresponding secretary; Harold Reagan of Louisville, treasurer; and Orville Phillips of Henderson, chaplain. President Whitehead appointed Arthur J. Kopp and Ernest Bourne as chairman of the legislation and finance committees respectively.

The afternoon business meeting began with very interesting reports on the activities of the Kentucky Industries and Rehabilitation Center. Charles E. Cox, director, introduced the following staff members of the Rehabilitation Center: Fred Gissoni, Lloyd Tackett, Tom Robertson, H. D. Wilson and Betty Nicely.

Dr. Emerson Foulke, chairman, Kentucky Computer Committee, outlined plans for the Computer Services for the Blind of Kentucky. He answered many questions concerning the new computer service which is to begin in Kentucky in 1973. T. V. Cranmer, director of Kentucky Services for the Blind, introduced Stewart Gatewood, his new assistant director. Donald Capps, led a discussion on the White Cane Law, which was recently adopted in South Carolina.

During the course of the business meetings, three resolutions were approved. One urged that the office of Director of Services for the Blind in Kentucky should always be held by a competent blind person. The second resolution recommended State legislation to amend the Kentucky State Homestead Law to include blind persons who own their own homes. The other resolution urged State officials to utilize the capabilities of blind persons in employment in State and local governments.

In the evening, 128 enjoyed a delicious steak dinner at the banquet. The Susan B.

Rarick award was given to Joe Lake, son of Joe and Mittie Lake. All those present were inspired by the excellent address of Don Capps. The Kentucky Federation of the Blind was indeed fortunate to have Don and Betty Capps present to promote the great work of the National Federation of the Blind.

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SENIORS-SPEAK UP AND BE COUNTED

by
Carolyn Helmer

[Editor's Note: Mrs. Helmer is Chairman of the NFB Committee on the Senior Blind]

Opportunities for Senior Citizens are multiplying in all parts of the country, yet many of these will never benefit our senior blind. In addition, much of the legislation such as the area of food stamps proves punitive to the blind.

A great deal of emphasis is being put on the \$100,000,000 nutrition program that is being sponsored nationwide. In most instances the blind will be precluded from benefiting from this program as they do not have the transportation to take advantage of the low cost meals at community centers.

All this part-time senior job emphasis is in areas where the blind do not benefit. For example: So-called driver volunteers are going to be paid for part-time services in the RSVP Program (Retired Senior Volunteer Program). But there is one area where we should and could be extremely vocal. We should join in the thrust for the Federal legislation to allow raises in social security to be retained by the recipients of aid.

In California, for example, there is a move to have the California Constitution changed so that social security raises could be maintained. If there are such programs in your State you should join in whatever legislative thrust that will be of benefit.

In many parts of the country the blind aid program is so low that in order to survive many blind people are going into nursing homes so as to maintain themselves above subsistence level.

The present food stamp program hits the blind people harder than it does any other of the adult aids. Many blind people are forced to live in households with others. Consequently the combined income makes it impossible for them to retain their food stamps.

This is the era of minorities speaking out loud and clear. We as senior blind must speak out loud and clear with emphasis on our own special needs. *Speak up, speak out, and be counted!*

* * * * *

DUAL MEMBERSHIP AGAIN

October 9, 1972

President Kenneth Jernigan
524 Fourth Street
Des Moines, Iowa 50309

Dear Mr. Jernigan,

I am writing in conjunction with perhaps the most distasteful exhibition of railroading I have ever witnessed. It was purportedly called a convention, run in accordance with democratic concepts. It was held in [-----], and I was, gratefully, unable to attend; however, it led to a thorough disillusionment on my part of NFB and what should be its basic principles.

Let me state unequivocally that I never have been, am not now, nor ever intend to be a member in ACB, Blind Leadership, or any other organization for the Blind. The brutal infringement upon individual rights that occurred here this past weekend and which has occurred in other states in the past is totalitarian in nature and compromises my grasp of liberty. I allude to the resolution that branded ACB as everything but a gun-toting, murderous outfit. That aspect was somewhat tolerable, which is to say that NFB has the right to declare itself openly against the policies of a rival group. However, to then attempt to forego basic rights by forbidding someone to belong to both groups on the grounds of a personal hatred takes the entire picture out of the perspective of reason and constitutionality as I understand these rights.

With utmost sincerity, I declare myself sorry that such a shameful thing has come to pass. I personally cannot compromise my personal integrity, and I therefor go ahead and resign my role as legislative chairman and first vice president of the NFB [local chapter]. My wife and I had great hopes of serving the cause of blindness in whatever way our energy could best be utilized. We devoted and expended much effort toward that end in the mistaken belief that this outfit, NFB, was run according to basic rights, was run with a view toward permitting its members to think for themselves and that they might be allowed to behave as mature adults, able to steer their own lives and make their own choosings. Such is patently no longer true.

Our particular chapter voted not to support the resolution and the delegate was so directed. At the convention, that delegate either was cohered into changing her mind, or did so of her own volition. At any rate, such a maneuver obviated, indeed negated my personal rights and the rights of those who had given their vote in all honesty. Honesty, however, does not prevail here, and we can no longer link ourselves to that sort of underhandedness.

Before you conclude that my wife and I, as well as the other five or six younger members who quit the [local chapter] are traitors, thin-skinned, or whatever, I urge you to read further and determine for yourself how your principles would have led you in such a circumstance. The argument never was whether or not the chapter voted for or against the resolution banning dual membership, not even against the hysterical charges that smacked of personal hatred by whomever introduced it. The basic principle which I oppose violation of is honesty. We had taken a chapter vote, which voted against the resolution. The delegate was committed to vote in accordance with chapter wishes. We assumed that things would go that way. The reason most of us, if not all of us who voted against the resolution is neither ACB nor NFB oriented. It is a matter of infringement of personal rights to pick and choose, rights I might add which our societal structure grants us as Americans. In any event, had the chapter voted to support the resolution, then we would have counted it as the preference of the majority, also a democratic virtue. There would have been no argument with such a vote, and we would have remained in the chapter as zealously as before.

Insofar as your personal difficulty with the suit in Iowa is concerned, we wish you well. We are dismayed at the vitriolic attacks you have endured from time to time from ACB, and we stand squarely against that sort of dirt as well. Perhaps we, my wife and I, are purists and thereby dreamers; yet we see great things ahead for NFB, and we had hoped to become a part of it, but not for our personal engrandisement. We do not need that. We are essentially independent and intend to remain so. On the other hand, with our hopes for better and more equal justice for the blind as a community, we sought to lend whatever assistance was possible. I cannot speak for other chapters, nor would we do so. We do speak for the cowardly behavior of the chapter in reversing its position so as to avoid being counted as sovereign thinkers. When milk is pure, Mr. Jernigan, it is tasty, healthy, and beneficial; when it sours, only a fool will drink it knowingly.

Accordingly, please accept this letter as our official withdrawal from NFB [local chapter]. Too, we must no longer assume the activity of attempting, through NFB, to change the law I discussed with you before, and would request that you hold your reply and that of Mr. Nagle until a new legislative chairman has been appointed to take over the task. If you understand our position, we are grateful. If not, then we ask that you try a bit harder, for nothing in this is personal. We wish you well and all possible success, for your efforts on behalf of the blind are and must be considered as wholly substantive and certainly in the right direction.

Yours most truly,

October 25, 1972

Dear Mr. [-----]:

I have your letter of October 9, and as you might imagine, I disagree with some of its

conclusions. You asked that I read it through and that I think about it; I have done both.

I now ask that you do the same with my letter. Toward the end of your letter you said something which I now return to you. It should work both ways: "If you understand our position, we are grateful. If not, then we ask that you try a bit harder, for nothing in this is personal."

I contend that your letter is not only an emotional diatribe but that it is essentially anti-democratic in its point of view. Further, I challenge you (if you will) to leave the realm of name-calling and exaggerated phraseology and deal with me on the grounds of reason and basic democracy. If you do not choose to answer this letter (or if you simply answer it with emotionalism and name-calling), I shall take that to mean that you are unable to come up to the line and handle the matter any other way. Also, I shall not blame you for it.

From your letter I gather that a resolution was introduced and passed at your recent State convention declaring that an individual cannot hold dual membership in the NFB of [-----] and the ACB. It is manifest that your chapter knew ahead of time that such a resolution would be considered since you say your chapter voted to oppose it. You do not deny that the NFB of [-----] had the right to pass such a resolution but apparently center your resentment on the fact that your delegate, as you put it, "either was cohered into changing her mind, or did so of her own volition."

You make of the lawsuit in Iowa a personal matter between me and the ACB. You then tell me (as if it were none of your or the organization's concern, except in a detached manner) that you wish me well. Your words are: "Insofar as your personal difficulty with the suit in Iowa is concerned, we wish you well. We are dismayed at the vitriolic attacks you have endured from time to time from ACB, and we stand squarely against that sort of dirt as well."

You conclude your letter by telling me that, even though you won't help, you think I'm doing a fine job and that I should keep up the good work. Your words are: "We wish you well and all possible success, for your efforts on behalf of the blind are and must be considered as wholly substantive and certainly in the right direction."

Here and there in your letter you make a number of self-serving declarations about how idealistic you are. The following is typical: "Perhaps we, my wife and I, are purists and thereby dreamers; yet we see great things ahead for NFB, and we had hoped to become a part of it, but not for our personal engrandisement." Toward the end of your communication you tell me that pure milk is a good thing (tasty and healthy) but that only fools drink it when it is sour—at least, when they know it is sour. (In this connection, by the way, I might point out to you that sour milk is often quite useful and much admired. Harry Truman, sagacious and wise, reputedly had a glass of it [in the form of buttermilk] before going to bed each night, and the Bulgarians fancy it for yogurt, said to prolong life and virility. Sour milk can be used to make butter, and the lowly potato is much enhanced by a dollop of sour cream. In song and story, in legend and fable, in castle and cottage, in church

and chapel, the excellence and virtues of sour milk have been glorified through the centuries—a credit to the cow and a boon to mankind.)

Anyway, back to the main point. This as I see it, is a fair statement of what your letter says. As I have already told you, I think it expresses a completely undemocratic point of view and that it is based on false premises. Let me proceed to show you why:

In the first place your statement that the suit in Iowa is a “personal difficulty” of mine will not stand examination. The people who are suing me are not *really* suing *me* at all. They are trying to hurt the National Federation of the Blind and me in my capacity as its President. All of the plaintiffs are members of the ACB and their principal attorney is the Washington representative of that organization. ACB affiliates have given money to fund the lawsuit, and the general fund appeal which has been sent throughout the country to support the suit has the return address of a post office box held by an ACB affiliate. Further, in depositions taken under oath, the plaintiffs have made it clear that their quarrel is with the President of the NFB. In any case the Iowa lawsuit is not the only detrimental action being taken by the American Council of the Blind. Their whole philosophy and approach contradict what we of the Federation are trying to do.

Yet, you tell me that you have a right (although you say you are not exercising it and do not intend to do so) to hold dual membership in the ACB and the NFB. A few years ago a President of the United States (a man from Massachusetts) was assassinated. Presumably Lee Harvey Oswald acted on his own initiative. Let us suppose, however, that the circumstances had been different. If it could have been shown that Soviet Russia had organized and financed the plot and that one of the Kremlin leaders had been the principal force behind it, would it really have been reasonable for an American citizen to write to Jacqueline Kennedy and say: “I am sorry for the ‘personal difficulty’ your husband has had with Lee Harvey Oswald.” If we had then gone to war with Russia, would it have been reasonable for an American to insist that he had the right (even though he might not choose to exercise it) to hold dual citizenship in America and the Soviet Union and to give equal allegiance to both?

At our national Convention in Chicago this summer I saw this argument carried to its ultimate. I was discussing dual membership in NFB and ACB with an individual and trying to get him to be logical and consistent. He said he thought he had the right to belong to any organization (or any number of organizations) he might choose and that no one should have the right to prevent him from doing so. I asked him whether he thought, during World War II, an individual should have had the right to fight three days of the week for the American Army, bombing German cities and killing German people, and then fight three days for the Germans, doing likewise to the allies—presumably resting on the Sabbath. With a straight face and real seriousness he told me that such was his belief. I told him that I had no further argument to make.

However, it is not necessary to deal with the matter at this level. Even though you would vote against it, you concede the right of the NFB of [----] to prohibit dual

membership, just so long as the matter is done democratically. Even if your assertions are correct (and I do not concede that they are), is it really grounds for quitting an organization simply because a delegate to the State convention violates instructions from the local chapter? It seems to me that this would be comparable to giving up your American citizenship because Mayor Daley was not seated at the Miami convention. Your remedy is not the cop out of quitting (a most undemocratic action) but to elect somebody else as delegate next time and try to get the motion rescinded.

Your opponents, of course, have the right to politick with your next year's delegate and try to get him to change his mind. Certainly it would be the essence of totalitarianism if the state president were to rule that, regardless of how the delegate voted, he would not permit him to cast a vote except in accord with the instructions given by the local chapter. This would be a violation of the state constitution and would negate some of the purpose of meeting in State convention—where discussing, reasoning, politicking, and mind changing can occur.

Let us take an analogous situation at the national level. If a State affiliate sends a delegate to the national Convention and instructs that delegate in a given manner, I will certainly not interfere if the delegate changes his mind, nor will I try to insulate him from the rough and tumble of the democratic process of politicking and persuading. I will not even pledge that I will not try to persuade him myself if I think that such is in the best interest of the movement. This is what democracy is all about. If you think your delegate was weak or a coward or a double-dealer or an incompetent, then unelect him, but do not sulk and pout like a little child and take your marbles and go home—and then add insult to injury by telling those who remain that they are doing a fine job and that you wish them well. This is hypocritical; it is sanctimonious; it is anti-democratic; and it is about the shallowest logic you will ever hope to find.

Let me say one thing more to you about the nature of democracy and the right of the individual. There is an essential difference between citizenship in a country and membership in a social action organization. A country has police and an army to enforce its edicts. Social action groups ordinarily do not. With respect to a country it is not always practical to “love it or leave it.” Social action groups are something else again. The laws of a country (enforceable and all-encompassing) touch every phase of a citizen's existence. Everything should be up for discussion, and no one should prevent him from the peaceable exercise of freedom of speech. His only remedy is such discussion (even though, as I have already said, this freedom does not extend to the forceable overthrow of a government or giving aid and comfort to foreign powers who would destroy it.)

Social action groups are something else. A religious sect, for instance, has the right to tell you that certain things are not up for discussion and that you have no right to act as if they were. If you insist on being an atheist, you can go out and join the local society of atheists, or form one if none exists; but you do not have the right to call the local Catholic Church undemocratic if it tells you that you may not be one of its members and, at the same time, a member of the local society of unbelievers.

I have taken you at your word. I have not concluded that you are "thin-skinned" but that you are sincere and willing to listen to reason. I also believe you when you tell me that you are really interested in the well-being of the blind. For these reasons I have written you at such length and for these reasons I urge you to reconsider your withdrawal from the organized blind movement. We need you, and I think you need the movement. In this connection I urge you to reread and ponder the document "Why the National Federation of the Blind." Just in case you do not have a copy, I am sending you one under separate cover. I heeded your injunction that I not jump to conclusions and that I study your letter carefully. I ask you to do the same in this case.

Let me say one final thing. The resolution passed by the National Federation of the Blind of [-----] was probably not necessary at all, except as a moral reaffirmation. In view of the actions of ACB the National Constitution of the Federation and the policies of the national Convention probably already prohibit dual membership.

I shall wait to hear from you and shall be interested to see what sort of reply I get.

Cordially,

Kenneth Jernigan, President
National Federation of the Blind

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INCOME MAINTENANCE

At present about 90,000 blind persons receive public assistance in the U. S., the average monthly grant being only \$106.84. This represents some 20 percent of the total blind population of the country. Well over half, 56 percent are 65 years of age or older and 30 percent are between 50 and 64 years of age. Only 14 percent are under 50.

Well over half of the states fail to make aid to blind payments adequate to meet their own income tests of financial need. In these states payments are subject to limitations, either through the imposition of maximum amounts or by payments reduced to a percentage of the computed need. The existence of unmet need is not, of itself, a complete measure of the adequacy of assistance payments in a given state since some states only recognize low levels of financial need.

Obviously the greatest need of most older blind Americans is for an income sufficient to buy the necessities of life. Be it said to the credit of the National Federation of the Blind, that right from its founding thirty-two years ago, this organization has spent most of its energies on trying to improve the aid to blind programs in the several states because of the wide impact of the program on so many blind persons. The NFB has continually improved the provisions of title X of the Social Security Act by securing exempt income, protecting pension plans in Pennsylvania and Missouri, providing freedom for the states to set a

presumed minimum need for basic necessities, and increased federal financial participation in the program to encourage the states to make more adequate provisions for its needy blind citizens. Finally, of course, is the NFB's epic battle to secure the enactment of its disability insurance for the blind bill.

Certainly there must be a greatly increased income maintenance allowance nation-wide in the form of a guaranteed minimum so that sufficient money is available for the older blind American to purchase a decent standard of living. To this goal the NFB is firmly committed. And we now seem to be precisely on the verge of the goal since both the House and the Senate have adopted the same provisions of the 1972 amendments to the Social Security Act regarding a guaranteed minimum grant in aid to the blind with exempt income provisions and already a 20 percent increase in all social security benefits. These are achievements which may well be realized within the next few months and are devoutly to be wished for.

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BIKE FOR LIGHT PROJECT BRINGS ENLIGHTENMENT TO THE SAN FERNANDO VALLEY

by
Robert Acosta

In an effort to bring further enlightenment to the citizens of the San Fernando Valley regarding the abilities of the blind, the West Valley Chapter of the National Federation of the Blind of California organized its first annual forty mile bike ride. The members of the chapter and their friends persuaded people to sponsor them at a specific amount per mile with the moneys collected being used for the Newel Perry Scholarship Fund, as well as other projects sponsored by the chapter.

Some 150 bike riders took part in this event. Among these riders were the Treasurer of the NFB of California, Mr. Charles Smalley, and his lovely wife Nancy who rode 38 miles and who collected upwards of \$40 for the West Valley Chapter. Not only did blind people ride on tandems with their sighted friends and partners, but they also manned the various checkpoints which were scattered throughout the Valley. After all proceeds were collected, the chapter could claim a profit of well over \$1600.

Miss Linda Anderson who was voted by her chapter as Federationist of the year in the San Fernando Valley, collected \$180, which included a \$40 contribution by the local congressman James Corman of Van Nuys. Teamsters Local 306 also pledged to Linda \$100 provided that she could ride the 40 mile distance. Needless to say, she finished the course.

The highlight of this project was the chapter's presentation to State president Tony Mannino of \$800 at its August meeting. Also on hand was Mrs. Irene Slater, the Field Representative for Congressman Corman, who presented Linda Anderson with the contribution from the congressman. Mrs. Slater also announced that Congressman Corman

would be in attendance at the chapter's September meeting.

Mr. Earl Houston, the secretary of the Teamsters Union, was also present as an honored guest. He praised the West Valley Chapter for its organizational efforts and he reminded us that the Teamsters and the NFB are both unions working toward a better life for their followers.

Alfred Gil, scholarship chairman for the NFB of California and the second vice-president of the State organization, gave an inspiring speech telling the chapter members about those who have benefited from the scholarships.

As president Mannino put it: "An imaginative fundraising endeavor such as this one must receive wide publicity throughout the NFB." He encouraged the chapter to publish its achievement in both the *Braille Monitor* and the *Blind Californian*.

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THE MODEL WHITE CANE LAW IN THE STATES

[Editor's Note: The basic materials and analysis of existing statutes, cases, and the theory on which the Model White Cane Law is premised can be found in the definitive work, "The Right to Live in the World: The Disabled in the Law of Torts," by Professor Jacobus tenBroek. It first appeared in *54 California Law Review* 841-919 (1966), and was then published as part of *THE LAW OF THE POOR* (Chandler Publishing Company, San Francisco, 1966). Copies of the reprint of this article are available on request from the NFB National Offices in Des Moines.

If your State passed a White Cane or some other statute affecting the rights of blind persons and it does not appear in the discussion below, it is due to two circumstances: Someone in your State did not send the material to the Editors or the material was missing from our law library. We would appreciate receiving any corrections or additions which our readers can supply.]

The protection of the White Cane Laws is a necessity for blind people living in a sight-oriented world. The need is brought to the attention of Federationists every day when some blind person suffers discrimination. Donald Capps, writing in a recent issue of *The Palmetto Auroran*, made the point clearly: "While Aurora feels that the blind of the State have made good progress in recent years, there are still some known instances of unfair treatment toward the blind. For example, an elderly sighted lady was recently running down the sidewalk of one of the State's largest cities in an attempt to catch a bus. When she encountered a blind person using a cane, she decided to jump over the white cane. In the process she sustained a fall and broke her arm. Instead of accepting the unfortunate accident as her own fault, she blamed the blind person and the white cane and asked that the agency for the blind remove all blind persons using canes from the sidewalks. Grant it is difficult to

conceive that this happened here in South Carolina, but it did. The lady felt that the elderly had the right to use the sidewalks but not the blind using white canes. Obviously we feel that the blind are equal citizens and are therefore as entitled to use the sidewalks and streets as our sighted and elderly friends.

“Recently a blind lady in South Carolina was denied the right to enter the main waiting room of a doctor’s office with her guide dog. A restaurant also declined to permit a blind person to enter with a guide dog. However, the State Board of Health regulations have stated for some time that a blind person may enter a restaurant using a guide dog. Also it came to the attention of the blind that there are those sighted persons who do not wish to hire blind persons in State service. Whether these attitudes are based on ignorance or prejudice, they have the same harmful effects upon the blind. The Model White Cane Law speaks directly to these attitudes and prejudices. Aurora will use its influence and resources to see to it that the provisions of the White Cane Law are complied with and that those who wish to discriminate against the blind will be singled out and called upon to terminate this practice.”

Activities in 1972

The fight for the right to live in the world picked up momentum in 1972. Iowa again took the lead by amending the blind most successfully into that State’s Civil Rights Act. [That Act is printed in full in the June 1972 issue of *The Monitor*.] Colorado attempted the same maneuver less successfully, as did New Jersey. The Model White Cane Law was adopted in full in South Carolina, the District of Columbia, Virginia, and, with some omissions or modifications, in Hawaii and Arizona.

Sponsoring legislators worked prominently in these legislative successes. The State and local affiliates organized well and received support from organizations for the blind and departments of government involved in programs for the blind. In Virginia, the law was introduced by Senator Leroy S. Bendheim of Alexandria. He was later presented with the State’s Dr. Jacobus tenBroek Award for piloting the bill through the Legislature from start to finish. Members of the affiliate wrote letters and sent telegrams. Legislative chairman James Nelson testified, as did Director W. T. Coppage on behalf of the Virginia Commission for the Visually Handicapped. Governor Linwood Holton said of the bill: “Senate Bill 36 is an important statement of rights of blind and otherwise disabled persons. Its passage by the General Assembly is a significant step in the recognition of human rights in Virginia. I assure you of my full support for the principles enunciated in this bill.”

In Arizona the bill was supported not only by the State affiliate and its chapters, but by the Phoenix Center for the Blind; the Arizona AAWB; the Arizona State Welfare Board; and, believe it or not, the Arizona Council of the Blind. Senator Douglas Holsclaw, who has sponsored the bill in three different sessions of the Legislature, was delighted with its passage.

The District of Columbia culminated two years of hard work with the Congress of the

United States to get its bill approved by the House and Senate and signed by the President. Jim Doherty wrote: "As with all Federation victories, this was a cooperative effort. Many of our members spent hours preparing and typing testimony. Others took time off from work to visit Congressional offices. As noted in a previous *Monitor* story on the early stages of our bill, [See *The Monitor* for July 1972] we owe a lot to Federationists throughout the country who wrote to their Congressmen and Senators on our behalf."

"After three years of hard lobbying," says the Editor of the *HFB Newsletter*, "the Hawaii Federation of the Blind finally saw its White Cane Bill enacted into law by the 1972 State Legislature and signed into law by Governor John A. Burns. Special thanks go to Representatives Richard Wong, Oliver Lunasco, Dennis O'Connor, Senators George Toyofuku, Nadao Yoshinago, and to every legislator who voted affirmatively for our bill."

Twenty-four legislators cosponsored the House Bill in South Carolina. The chief sponsor was the Honorable F. Hall Yarborough, Representative from Orangeburg County, who received Aurora's Service Award in 1968. He has been a long-time friend of Aurora and the blind of South Carolina. Aurorans feel that the Model White Cane Law is the most important legislation passed in their State since the act creating the Commission for the Blind in 1966.

Comments

Adapting a model law to existing statutes and codes leads legislative drafting bureaus to do strange things. Some of the difficulties arise out of lack of understanding of the subject matter which usually results in a flow of cover-up language, or out of rushing preparation of a bill under pressure of time limits, or out of deliberate attempts to obfuscate.

The fact that the blind still have a long way to go to first class citizenship is indicated by the titles under which laws affecting the blind are sometimes still classified: "Mentally Ill, Incapacitated, Dependent Persons"; "Charities and Public Welfare"; "Public Peace and Safety"; "Mentally Ill, Tubercular, Blind, Deaf"; "Afflicted Persons." More recent enactments find the laws affecting the blind in sections dealing with the blind and deaf, motor vehicles, and in the last two or three years in those dealing with anti-discrimination and civil rights laws.

The White Cane

Describing or limiting the use of the white cane has caused problems in the statutes. Most States make it a misdemeanor for anyone other than those named in the statute to use a white cane. A number of States still require the cane to be used in "a raised or extended" position when crossing intersections. Kansas, however, says in its law that "It shall be unlawful for any person, unless totally or partially blind or otherwise incapacitated, while on any public street or highway, to carry in a raised or extended position, a cane which is white in color or white tipped with red." It would seem that as long as one kept the white cane other than in a "raised or extended" position, he would be free to use one. Texas,

however, goes another step. In a caricature of a model white cane law, it provides that “‘White Cane’ means a cane or walking stick which is metallic or white in color or white *tipped with some contrasting color*, and which is carried by a blind person in a *raised or extended position to assist the blind person* in traveling from place to place; . . .” [Italics ours] Pedestrians in Texas, beware. Perhaps the blind people in Texas carry two canes—one to wave around in order to comply with the law and the other to see where they are going. And Washington State in 1971, after taking the model section on duties of drivers, adds, “It shall be unlawful for the operator of any vehicle to drive into or upon any crosswalk while there is on such crosswalk, any pedestrian wholly or partially blind, crossing or attempting to cross the roadway, if such pedestrian indicates his intention to cross or of continuing on, with a timely warning by holding up or waving a white cane, or using a guide dog” [presumably unheld and unwaved]. In Arkansas the blind must not venture forth without a cane or dog. That statute says: “and all blind persons walking along the highways and streets in the State without carrying such a cane or without using a ‘seeing-eye dog’ specially trained for the purpose of accompanying and assisting blind persons, shall be guilty of a misdemeanor and subject to a like fine.”

Anti-discrimination and Civil Rights

Iowa’s law relating to the civil rights of the physically and mentally handicapped approached the problem by defining the word “disability” in its statutes, rather than “handicapped,” as most States. “Disability,” says the Iowa statute, “means the physical or mental condition of a person which constitutes a substantial handicap. In reference to employment, under this chapter, ‘disability’ also means the physical or mental condition of a person which constitutes a substantial handicap, but is unrelated to such person’s ability to engage in a particular occupation.” Iowa also adds a safeguard to employment of the blind: “If a disabled person is qualified to perform a particular occupation by reason of training or experience, the nature of that occupation shall not be the basis for exception to the unfair or discriminating practices prohibited by this subsection.” It then further provides for what some might consider to be preferential treatment: “An employer, employment agency, or their employees, servants, or agents may offer employment or advertise for employment to only the disabled, when other applicants have available to them other employment compatible with their ability which would not be available to the disabled because of their handicap.” This is an equalizer which other States should consider adding to their employment anti-discrimination laws. And as an extra insurance, the section goes on: “Any such employment or offer to employment shall not discriminate among the disabled on the basis of race, color, creed, sex, or national origin.” The term “disability” as so defined is then added to all other relevant sections of the act.

Nevada amended its Equal Employment Opportunities Act to forbid discrimination by employers, employment agencies, labor organizations and corporations and other business organizations because “of such individual’s race, color, religion, sex, physical or visual handicap or national origin.” However, the whole is compromised in each case by a section which states that “it is not an unlawful employment practice” for any of the named employers and organizations to classify any of the listed potential employees on the basis of

his "religion, sex, physical or visual handicap or national origin in those certain instances where religion, sex or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise:"

New Jersey also attempted to include the physically handicapped in its Law Against Discrimination. There the definition is so broad that everyone could claim inclusion: "'Physical handicap' means any physical disability, infirmity, malformation or disfigurement which is caused by bodily injury, birth defect or illness including epilepsy, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment or physical reliance on a seeing eye dog, wheelchair, or other remedial appliance or device." Since none of us is perfect

Section one of the model, which deals with employment generally as distinguished from public employment in section six, takes various shapes in State statutes. Some water it down by taking the first phrase and then tacking on section six, eliminating all but public employment. In some cases it is lumped with the right to be in public places and travel on common carriers. The new District of Columbia law, however, spells out private sector employment: "Section 4—The blind and the otherwise physically disabled shall be employed by (1) every individual, partnership, firm, association, or corporation, or the receiver, trustee, or successor thereof (exclusive of the Government of the United States or any agency thereof), doing business, and employing any individual for the purpose of such business, in the District of Columbia, . . . on the same terms and conditions as the able bodied, unless it is shown that the particular disability prevents the performance of the work involved."

Pennsylvania attempted to amend its anti-discrimination statutes with the following results: The statute adds to the list of those who may not be discriminated against because of the race, color, religious creed, ancestry or national origin, "any person due to use of a guide dog because of the blindness of the user" If that section read "due to use of a guide dog *or* because of the blindness of the user" all blind people in the State would have been protected.

Texas wrote a fine anti-discrimination clause into several sections dealing with public facilities, common carriers, housing and the like to include persons who "use a dog guide, wheelchair, crutches, or other types of devices used to assist the handicapped person in travel." The whole thing was then washed out with a clause under the heading "Responsibilities of persons who are blind or otherwise physically handicapped": "Clause (c) A person who is blind or otherwise physically handicapped and who, after being duly warned of a danger unique to a handicapped person's use of a particular public facility, is injured in using the public facility and is injured because of a danger of the type about which warning was given, shall be deemed to have assumed the risk of using the public facility."

Dogs

All the confusions and verbiage and clouded conceptions of the sighted about the blind really come out when drafters try to deal with the guide dog. Given the small number of blind persons who use guide dogs (about one per cent) this subject receives a disproportionate share of attention in the statutes.

The guide dog is termed variously "seeing eye," "leader," or "guide dog." Someone tried to put on the dog and decided that "dog guide" sounded more important. Others contend that "seeing eye," "guide," and "leader" are all used in the names of training schools and, hence, to avoid confusion guide dogs should be designated "dog guides." What happens when a "dog guide" school is opened makes interesting speculation. We prefer to think that a "guide" dog is so called to distinguish him from other dogs rather than other guides; though some blind people may wish that their two-legged guides could be trained, too.

Many statutes require, white cane law or no, that a person using a guide dog who wishes to enter and use any public accommodation or common carrier, be able to exhibit a "certificate" from an accredited training school on demand. A few States still limit the use of the guide dog on trains to the coach cars, barring the blind person with a dog from sleeping, club, dining, lounge cars, and so on. Some require a specific kind of harness, and many insist that the dog be muzzled. Most prohibit the requirement of extra payment or charges for the dog. Almost all States make discrimination against a blind person who complies with all the requirements for use of a guide dog subject to sanctions under misdemeanor statutes, usually imposing a fine and/or a jail term. Texas goes one step further and imposes a fine of \$200 on any person convicted of using a dog in harness representing it to be trained, when in fact it is not. In that State the training school has to be one approved by the State agency in charge of rehabilitation programs.

Twenty-four States and the District of Columbia have now adopted the Model White Cane Law. That means that almost half the States now have legislation which can be used to improve the social and economic standards of all the blind living in their borders. The housing provisions were added to the model in 1969 and some States which passed the model before that time have now amended their White Cane statutes to include them. Other States have a good start, having adopted some of the model provisions, and need, now, to work to have the others included.

About a dozen States have adopted architectural barriers statutes to open public, and in some cases, private buildings to those who cannot enjoy the privileges of mobility because it is impossible to move in and out of some structures in a wheelchair or on crutches. Some groups have worked hard to pass these statutes and should be commended for this effort. However, in some States which have adopted the architectural barriers statutes, there are no White Cane laws. Thus, the blind may find access easier to public buildings but nothing to do when they arrive since there are no hiring or employment laws to encourage people to give them work. Let us all keep our goals well in view.

STATES WHICH HAVE ADOPTED
THE MODEL WHITE CANE LAW

Arizona--1972

Adopted the model. Has an abbreviated employment clause; does not have a requirement for issuing a Proclamation; and may have repealed its contributory negligence clause which was contained in an earlier statute; does not include the housing provisions.

California--1968

Adopted the model. Adopted the housing provisions in 1970.

Colorado--1971

Does not have a contributory negligence clause, a requirement for a Proclamation, or the housing provisions.

The statute was enacted in April of 1971; in May of 1971 it was amended to include the deaf and partially deaf in every section in which the blind and partially blind appear.

Some civil rights sections were added in 1972.

District of Columbia--1972

Adopted the model with additional spelling out of employment rights in the private sector.

Florida--1971

Adopted the model but has no private employment section or requirement for a Proclamation on White Cane Safety Day.

Hawaii--1972

Does not require the issuance of the Proclamation; does not contain the housing provisions.

Idaho--1969

Adopted minus the requirement for the White Cane Proclamation which was then provided for by a Concurrent Resolution of the State Legislature. The housing provisions have yet to be acted upon.

Illinois-1969

Adopted the model. The housing provisions must now be added.

Indiana-1969

Adopted the model. Added the housing provisions in 1972 though the rights of the blind and visually handicapped are not clear.

Iowa-1967

Adopted the model.

Amended Civil Rights Act to include the blind and other handicapped in 1972.

Kansas--1969

Adopted the model. Has yet to add the housing provisions.

Maine-1971

Adopted the model without the housing provisions.

Maryland-1971

Adopted the model, including the housing provisions, but removed the otherwise handicapped from the protection of the Act.

Minnesota-1969

This is a modified version of the model. It does not contain the contributory negligence savings clause or the requirement for the Proclamation. The housing provisions were adopted in 1971.

Nebraska-1971

Adopted the model without the housing provisions.

Nevada-1967

Adopted modified version of the model. In 1971 amended State's civil rights provisions to include among the lists of those who should not be discriminated against those with a "physical or visual handicap."

New Hampshire—1971

Adopted the model without the contributory negligence savings clause which may exist in some statute adopted earlier. This act does not include the housing provisions.

New Mexico—1967

Adopted the model; has yet to add the housing provisions.

North Dakota—1967

Adopted the model without the requirement for issuance of the Proclamation. This State has yet to add the housing provisions.

Rhode Island—1971

Adopted a modified version of the model to fill in gaps in existing law; does not contain the housing provisions.

South Carolina—1972

Adopted the complete model.

Utah—1969

Excludes the private employment statement and has a modified observance of White Cane Day. There are no housing provisions.

Virginia—1972

Adopted the complete model.

Washington—1969

Adopted a modified version of the model. Has no housing provisions or requirement for the Proclamation.

West Virginia--1969

Adopted the model minus the housing provisions.

* * * * *

MODEL WHITE CANE LAW

[Note: This draft proposal was prepared by an experienced legal practitioner and by Professor Jacobus tenBroek, an experienced law teacher and writer. Both are blind. They performed the work on behalf of the National Federation of the Blind, the nationwide organization of blind men and women.

This draft is distributed in the hope that it will commend itself to the legislatures of the various States and that they will enact it into law.

The draft is an outgrowth of an article by Professor tenBroek published in the May 1966 issue of the *California Law Review* entitled "The Right to Live in the World—the Disabled in the Law of Torts." Copies of that article may be secured gratis from the Berkeley office of the National Federation of the Blind, 2652 Shasta Road, Berkeley, California 94708. The article contains a detailed analysis of existing white cane laws and other relevant legislation and judicial decisions. It provides support for the enactment of the model law.]

MODEL WHITE CANE LAW

- 1: It is the policy of this State to encourage and enable the blind, the visually handicapped, and the otherwise physically disabled to participate fully in the social and economic life of the State and to engage in remunerative employment.
- 2(a): The blind, the visually handicapped, and the otherwise physically disabled have the same right as the able-bodied to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places;
- 2(b): The blind, the visually handicapped, and the otherwise physically disabled are entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, street cars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons;
- 2(c): Every totally or partially blind person shall have the right to be accompanied by a guide dog, especially trained for the purpose, in any of the places listed in section 2(b) without being required to pay an extra charge for the guide dog; provided that he shall be liable for any damage done to the premises or facilities by such dog.
- 3: The driver of a vehicle approaching a totally or partially blind pedestrian who is carrying a cane predominantly white or metallic in color (with or without a red tip) or using a guide dog shall take all necessary precautions to avoid injury to such blind pedestrian, and any driver who fails to take such precautions shall be liable in damages

for any injury caused such pedestrian; provided that a totally or partially blind pedestrian not carrying such a cane or using a guide dog in any of the places, accommodations or conveyances listed in section 2, shall have all of the rights and privileges conferred by law upon other persons, and the failure of a totally or partially blind pedestrian to carry such a cane or to use a guide dog in any such places, accommodations or conveyances shall not be held to constitute nor be evidence of contributory negligence.

- 4: Any person or persons, firm or corporation, or the agent of any person or persons, firm or corporation who denies or interferes with admittance to or enjoyment of the public facilities enumerated in section 2 or otherwise interferes with the rights of a totally or partially blind or otherwise disabled person under section 2 shall be guilty of a misdemeanor.
- 5: Each year, the Governor shall take suitable public notice of October 15 as White Cane Safety Day. He shall issue a proclamation in which:
 - (a) he comments upon the significance of the white cane;
 - (b) he calls upon the citizens of the State to observe the provisions of the White Cane Law and to take precautions necessary to the safety of the disabled;
 - (c) he reminds the citizens of the State of the policies with respect to the disabled herein declared and urges the citizens to cooperate in giving effect to them;
 - (d) he emphasizes the need of the citizens to be aware of the presence of disabled persons in the community and to keep safe and functional for the disabled the streets, highways, sidewalks, walkways, public buildings, public facilities, other public places, places of public accommodation, amusement and resort, and other places to which the public is invited, and to offer assistance to disabled persons upon appropriate occasions.
- 6: It is the policy of this State that the blind, the visually handicapped, and the otherwise physically disabled shall be employed in the State Service, the service of the political subdivisions of the State, in the public schools, and in all other employment supported in whole or in part by public funds on the same terms and conditions as the able-bodied, unless it is shown that the particular disability prevents the performance of the work involved.

In some States blind and otherwise disabled persons have been having difficulty renting, leasing, or buying suitable housing. Another section (Section 7) is herewith set forth for those States which have no protection for disabled people in the housing area.

- 7(a): Blind persons, visually handicapped persons, and other physically disabled persons shall be entitled to full and equal access, as other members of the general public, to all housing accommodations offered for rent, lease, or compensation in this State, subject to the conditions and limitations established by law and applicable alike to all persons.
- 7(b): "Housing accommodations" means any real property, or portion thereof, which is used or occupied or is intended, arranged, or designed to be used or occupied, as the home, residence, or sleeping place of one or more human beings, but shall not include any accommodations included within sub-section (a) or any single family residence the occupants of which rent, lease, or furnish for compensation not more than one room therein.
- 7(c): Nothing in this section shall require any person renting, leasing, or providing for compensation real property to modify his property in any way or provide a higher degree of care for a blind person, visually handicapped person, or other physically disabled person than for a person who is not physically disabled.
- 7(d): Every totally or partially blind person who has a guide dog, or who obtains a guide dog, shall be entitled to full and equal access to all housing accommodations provided for in this section, and he shall not be required to pay extra compensation for such guide dog but shall be liable for any damage done to the premises by such a guide dog.

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"HE WALKS BY A FAITH JUSTIFIED BY LAW . . ."

An Address
by
Professor Jacobus tenBroek
President, National Federation of the Blind [1960]

Nearly a century ago, in a case that has become a landmark, the chief justice of a New York court wrote as follows:

The streets and sidewalks are for the benefit of all conditions of people, and all have the right, in using them, to assume that they are in good condition, and to regulate their conduct upon that assumption. A person may walk or drive in the darkness of the night, relying upon the belief that the corporation has performed its duty and that the street or the walk is in a safe condition. *He walks by a faith justified by law*, and if his faith is unfounded, and he suffers an injury, the party in fault must respond in damages. So, one whose sight is dimmed by age, or a near-sighted person whose range of vision was always imperfect, or one whose sight has been injured by disease, is each entitled to the same rights, and may act upon the same assumption. Each is, however, bound to know that prudence and care in turn are required of him, and that, if he fails in this respect, any injury he

may suffer is without redress. *The blind have means of protection and sources of knowledge of which all are not aware.*

This resounding opinion is notable today for two oddly different reasons. On the one side it stands as a monumental expression of the modern view that the infirm and the disabled have a right, like any others, freely to travel the public streets and sidewalks. On the other side it is a rather startling revelation of that pervasive prejudice of earlier times that the sightless are different from others not just in degree but in kind—different even from those whose vision is “imperfect” or “injured.” It must have been a comforting thought in those not-so-innocent days of charity—a thought not unlike that of the “nobility of poverty”—that the blind were gifted by a kindly Providence with wondrous powers which somehow magically balanced the ledger and made it unnecessary to be greatly concerned about their welfare.

But while this curious residue of unconscious prejudice blurs its message, the real significance of this judicial opinion lies in its straight-forward rejection of an age-old discrimination against the visually handicapped. This was the assumption that the blind man’s place is in the home or in the asylum, that he takes to the streets and public places at his own risk and peril, and that—in the common legal parlance of the day before yesterday—he is automatically guilty of contributory negligence in any accident involving travel.

In effect, it was held by the courts that the blind were not only sightless but legally without legs to stand on. If they could not see, then they should not attempt to walk. In the eyes of the law, they were immobilized. Their right to be in public places, often conceded as a matter of doctrine, was stillborn.

That was not only the case a century ago; it was also very generally the case, despite the judicial opinion quoted above, as recently as a generation ago. It was exactly thirty years ago, in 1930, that the first legislative step was taken to free the blind from the rocking-chair in which the law still kept them shackled. For while the New York jurist of 1867 had granted the blind the right to walk abroad with the expectation that the streets and sidewalks would be kept in shape, nothing had been done since the advent of the automobile to enable the blind to leave those sidewalks and to *cross* those streets. It was expressly to provide a new right to be abroad in the new conditions of modern motorized traffic, that the white cane was inaugurated as a travel aid for the blind. This year we are celebrating, not only the 30th anniversary of that first step onto the highway, but the virtual completion of the campaign which it inaugurated. Today White Cane Laws are on the books of every State in the Union—and for the first time in modern history, everywhere in the land, the blind person truly “walks by a faith justified by law.” The great and unique achievement of the White Cane Laws has been virtually to wipe out the automatic assumption of contributory negligence on the part of the blind pedestrian, and so to afford him a legal status in traffic, a protection not hitherto conferred.

The white cane is therefore a symbol of equality—and still more clearly a sign of

mobility. Nothing characterizes our streamlined modern civilization so much as its atmosphere of rapid transit and jet propulsion. More than ever, in urbanized and automobilized America, the race is to the swift--until it almost seems that even the pursuit of happiness takes place on wheels. In the routines of daily living, as at a deeper social level, the keynote of our way of life is *mobility*: the capacity to get around, to move at a normal pace in step with the passing parade. In this race, until very recently, the blind were clearly lagging and falling ever farther behind. In terms of their physical mobility, as in the broader terms of economic and social mobility, this lag was long regarded as the permanent and inescapable handicap of blindness. But today the blind of America are catching up. Just as they are gaining social and economic mobility through the expansion of vocational horizons, so they are achieving a new freedom of physical mobility through the expansion of legal opportunities centering around the White Cane Laws.

For blind people everywhere, the white cane is not a badge of difference--but a token of their equality and integration. For those who know its history and associations, the white cane is also something more: it is the tangible expression not only of mobility, but of a *movement*. It is indeed peculiarly appropriate that the organized movement of the National Federation of the Blind should have as its hallmark this symbol of the white cane. Nor does this take away in any degree from the vital and continuing contributions to the White Cane Laws of the Lions clubs of America. The Lions have been, and are, staunch allies in the movement of the blind and companions on the march which began a generation ago. During the decade following the introduction of the white cane, statewide organizations of the blind began to emerge in numbers across the country, in the first wave of a movement which was climaxed by the founding of the National Federation in 1940. Through the adoption of the White Cane Laws, the blind have gained the legal right to travel, the right of physical mobility. And at the same time, through the organization of their own national and State associations, the blind have gained the social right of movement and the rights of a social movement.

This is a striking parallel, and an instructive one.. For the right to move about independently *within* the States, which the White Cane Laws have steadily won for the blind in the courts, is intimately bound up with the right of free movement *across* State boundaries, which the organized blind are steadily achieving through the reduction or outright abolition of the residence requirements governing State programs of Aid to the Blind. In short, it is no empty phrase of rhetoric to say that the blind are "on the move." Thanks to the White Cane Laws, they now move freely and confidently not just on the sidewalks but across the streets. Thanks to the legislative reforms instigated by the Federation, they are moving also more freely than ever from State to State, as need and opportunity dictate; they are moving *upward*, into new careers and callings; and they are moving *forward*, into the main channels and thoroughfares of community life. The blind of America walk by a faith ever more justified by law.

I have said that the White Cane Laws enhance the freedom and confidence of the blind person by affording him a status of legal equality. But it is not, of course, the laws alone but the white cane itself which contributes to his confidence and self-sufficiency. This

distinctive cane is several things at once: It is a tangible assist to the blind person in making his way; it is a visual signal to the sighted of the user's condition; and it is a symbol for all of a legal status and protection. Let us immediately concede, however, that the white cane is no magic wand or dowsing-rod, no substitute for sight and no guarantee of immunity against disaster. The cane cannot read signs or distinguish lights; it cannot traverse all areas immediately ahead and above, and even where it does it cannot make judgments for its user. In short, it is only a cane—not a brain. And finally it is, of course, not always and universally recognized by the sighted as the legal device of a blind person—although such recognition is already wide and rapidly increasing.

Despite all these necessary and obvious reservations, it is or *should* be indisputable that the white cane is an extremely effective aid to blind people in their daily movements. In fact, however, this conclusion is still disputed—and not by the sighted only but even by a few who are blind. No less a personage than General Melvin Maas, president of the Blinded Veterans Association and head of the National Committee on Employment of the Physically Handicapped, has now seen fit to speak out sweepingly against the white cane and all its works—including the White Cane Laws and the whole principle of White Cane Week. The white cane, says the general, is utterly valueless as a signaling device unless it is “elevated at least to the *horizontal* level,” which “would present a real hazard to oncoming pedestrians.” Apparently General Maas is suggesting that the blind person must point his cane horizontally ahead of him like a swordsman; what the laws provide, in terms of elevation, is rather that the cane be *vertically* raised and extended as far as arm's length. Again, according to the general, “the cane would need to be of such size and shape as to be readily discernible by drivers of vehicles.” But this is surely no objection; obviously the cane ought to be as visible as possible consistent with its portability and convenience. General Maas indeed goes so far in his opposition as to argue that “many cane users do not now use white canes, but use collapsible metallic ones.” What he does not say is that there is nothing about collapsible metal canes which prevents them from being colored white (like that which I am carrying today). Finally, the general “clinches” his case with the contention that “the volume and speed of traffic now makes dependence on the cane most hazardous.” There is no doubt, certainly, that traffic hazards are greater today, for everyone, than ever before. But what is the inference? Should the blind then retreat once more to the rocking-chair and never venture forth? This is, to be sure, a viewpoint not yet dead among us; as witness the opinion of a Milwaukee district judge, just two years ago, that blind people should stay at home because they only endanger traffic by moving around by themselves. Would General Maas subscribe to that retrogressive doctrine? If, on the other hand, the blind are to be permitted to retain their hard-won right of independent travel, should they now be stripped of the paramount aid and legal protection they have gained?

There are two different questions to be settled here: one of fact and the other of right. The factual question is simply whether the white cane and White Cane Laws are, or are not, a genuine help to blind pedestrians and sighted motorists. On this score the evidence is clear and overwhelming. When, for example, the New York legislature was considering enactment of a State White Cane Law a few years ago, a questionnaire on the merits of the proposal was dispatched to several hundred chiefs of police, attorneys-general and safety officers in

other States. A very high proportion took the trouble to answer, and the verdict was that White Cane Laws, when properly publicized and administered, are a definite and powerful help to blind and sighted alike. No one, of course, proposed them as a substitute for prudence and common sense on either side; but all agreed that in the presence of ordinary caution and in the service of judgment the white cane is unmistakably a good thing.

Some of the efforts to improve the usefulness and efficiency of the white cane, and to define its proper handling, are fascinating (if not always edifying) to recount.

A Milwaukee city attorney, for example, has proposed that all white canes should fly a flag in traffic—whether at full or half-mast is not revealed. A still more colorful suggestion has been made by a policeman who investigated the most recent traffic death involving a white cane. The carrier, he said, should be enabled upon entering traffic to press a button releasing a set of dangles, whose glitter would presumably attract the eye of the most inattentive motorist; when not in use, the dangles would politely recede into the shell of the cane. Still others have suggested that the white cane ought properly to be at least one and one-half inches thick to improve its visibility—a suggestion which will, no doubt, be happily received by all sightless weight-lifters.

Meanwhile legal minds have labored long and hard over the meaning of the term “raised or extended position” set forth as a requirement by the White Cane Laws of most States. Does “raised” mean, as one city attorney has proclaimed, “pointing upwards?” And does the requirement involve both raising *and* extending the cane, simultaneously or alternately, in the manner of a drum-major? (If the cane in these circumstances also flies a flag and trails dangles, nearly all the elements of a one-man parade would appear to be present.)

There has been no less argument concerning the sanctions most profitably to be included in the White Cane Laws. Some States impose only civil sanctions, thus making it easier to secure the conviction of sighted offenders. Others make allowance for penal sanctions, including jail sentences; but this approach, while apparently more effective, automatically grants to defendants all the protections of criminal law, and by its very severity renders juries reluctant to bring in convictions against negligent drivers. Then, too, there is the question of the right-of-way to be accorded the blind user of a white cane. In at least one State his rights would appear to be virtually unlimited—even by such normal barriers as traffic signals. Illinois provides that *Any blind person who is carrying in a raised or extended position a cane or walking stick which is white in color or white tipped with red, or who is being guided by a dog, shall have the right of way in crossing any street or highway, whether or not traffic on such street or highway is controlled by traffic signals. The driver of every vehicle approaching the place where a blind person, so carrying such a cane or walking stick or being so guided, is crossing a street or highway shall bring his vehicle to a full stop and proceeding shall take such precautions as may be necessary to avoid injury to the blind person.*

At least six other States impose the full-stop requirement universally insisting that

non-blind pedestrians, as well as drivers, must heed the approach of a blind white caner and come to a stop when approaching or coming into contact with him. Such provisions as these would seem to make the blind pedestrian virtually all-conquering.

It should be clear that the legal symbol and physical helpmate of the white cane has not magically solved all the ambulatory problems of the blind. It cannot at a gesture convert a crazed motorist into a sane one; it cannot make the sea of traffic part at its command; above all, it cannot absolve the blind pedestrian from his civilized responsibility to move with prudence and ordinary caution: to speak politely, while carrying a big stick. Let us claim no more for the white cane and the White Cane Laws than is their due. The paramount right which they confer upon the blind pedestrian is not so much a right-of-way (for that is limited and contingent), nor even a guarantee of safe conduct, but simply a right of *passage*--the right to travel independently in public places, to move in the thick of things, with the confidence of legal status and the reasonable assurance of recognition. Before the era of the white cane, the blind man everywhere ventured forth at his peril and proceeded at his own risk; today "he walks by a faith justified by law."

Nearly a hundred years ago an American writer, Obadiah Milton Conover, composed a short poem which no blind person could then have read with conviction. This year, as we celebrate the anniversary of the white cane and the new-found independence which it signifies, each of us may affirm the poet's boast:

Alone I walk the peopled city,
Where each seems happy with his own;
O friends, I ask not for your pity--
I walk alone.

* * * * *

RECIPES OF THE MONTH
offered by
Eileen DeOrion

[Editor's Note: Eileen DeOrion is an employee in the Berkeley Office.]

GINGERSNAPS

1 ½ cups shortening
2 cups sugar
2 eggs
½ cup molasses
4 cups sifted flour
2 teaspoons baking soda
2 teaspoons cinnamon
2 teaspoons cloves

2 teaspoons ginger
dish of sugar

Cream shortening and sugar. Beat in eggs. Add molasses and sifted dry ingredients. Roll into one-inch balls. Dip in sugar. Place two inches apart on cookie sheet. Bake 15-18 minutes at 375 degrees.

PFEFFERNUESSE

1 cup butter
1 cup sugar
4 eggs
2 cups sifted flour
½ teaspoon salt
½ teaspoon baking soda
1 teaspoon each cloves, pepper, nutmeg, and allspice
2 teaspoons cinnamon
½ teaspoon crushed cardamom
½ teaspoon saffron threads
½ teaspoon anise seed
½ cup crushed almonds
½ cup chopped citron
4 Tb grated lemon rind

Cream together butter and sugar; add well beaten eggs. Sift flour and spices together and add to above mixture. Fold in citron, almonds, and lemon rind and add enough flour to make an easily worked smooth dough. Roll to a thickness of one-eighth inch and cut into small round shapes. Bake for fifteen minutes in a 350-degree oven.

* * * * *

BATTLE SONG OF THE NFB
Copyright Josephine Huff and Floyd S. Field 1969
Tune: Battle Hymn of the Republic

Blind eyes have seen the vision of the Federation way;
New White Cane legislation brings the dawn of a new day;
Right of the Blind to organize is truly here to stay;
Our Cause goes marching on

Chorus:

Glory, Glory Federation;
Glory, Glory Federation;
Glory, Glory Federation;
Our Cause goes marching on.

We have seen it in the actions of four hundred chapters strong;
Good Leadership and courage have righted many wrong;
Let's aid NFB's program and join in its Battle Song;
Our cause goes marching on

Chorus .

tenBroek has sounded trumpet which shall never sound retreat;
We have sifted out the hearts of Blind before our Judgment Seat;
Oh be swift all Blind to answer and be jubilant your feet;
Our Cause goes marching on

Chorus .

To aid the Blind's long struggle we have formed the NFB;
To free them from their bondage of workshop and agency;
To give a hand to all the Blind wherever they may be;
Our Cause goes marching on

Chorus

Glory, Glory Federation;
Glory, Glory Federation;
Glory, Glory Federation;
Our Cause goes marching on.

WE SHALL MARCH TOGETHER

Lyrics and Music

Copyright Jim Omvig 1969

Handwritten musical score for the song "We Shall March Together". The score is written in G major (one sharp) and 4/4 time. It consists of five staves of music with lyrics written below the notes. Chord symbols are written above the notes.

Staff 1: Eb Gm7 Gbdim. fm7 Bb7 fm7 Bb7 Eb
We shall march to - geth - er to gain E - qual - i - ty.

Staff 2: Eb Bb C7 F7
Through our com - mon ef - fort we'll gain Op - por - tun - i -

Staff 3: Bb7 Ab fm7 gm7 cm7
- ty. When we reach our goal of Sec - u - ri - ty brave

Staff 4: fm7 Bb7 Eb Fm7 Bb7 Eb
ef - fort we'll ap - plaud. We shall march to -

Staff 5: Bbm7 Cm7 fm7 Bb7 Eb
geth - er "With - in the Grace of God."

UNITED NFB
Copyright Marcia Mendelson 1969
Tune: Marines' Marching Song

From the city of Los Angeles to the shores of old New York;
We will strive to win our battles with our action, brains and talk;
First to fight for right to organize and to keep our spirit free;
We are proud to claim the title of United NFB.

We will overcome our obstacles. We are fighters for our cause.
Legislation is our watchword, and we work without a pause.
As a body we will mobilize to achieve equality;
For we are the proudest members of United NFB.

A FEDERATION SONG

Copyright College Students Association of Iowa City 1969

Tune: America the Beautiful

The dismal past when condescending pity held us fast
Shall be replaced by independent dignity, at last.
Oh, NFB, oh, NFB, thy goals shall ever be
Security, equality and opportunity.

With firm determination we go forward as one mind.
The Federation spirit says: "The blind shall lead the blind."
Oh, NFB, oh, NFB, thy goals shall ever be
Security, equality and opportunity.

* * * * *

BEATITUDES OF THE BLIND

by
Douglas Rambo

[Reprinted from the VCVH *Views and Ventures*, Newsletter for the Virginia Commission for the Visually Handicapped.]

(The Nashville P. I. R. A. T. E. S. (Prison Inmates Recording and Transcribing Educational Materials for the Sightless), a volunteer program within the Tennessee State Prison will begin publishing a newspaper concerning the blind. The following is from this organization.)

Blessed are they who refrain from shouting at me when they talk with me.

Blessed are they who talk directly with me and not through someone else.

Blessed are they who tell me who they are when they enter the room and say "Hello" to me.

Blessed are they who tell me they are leaving the room that I may not be left talking to the air.

Blessed are they who do not hesitate to use any form of the verb "To See" when they talk with me.

Blessed are they who gently tap me on the shoulder when they approach me from the side or back before speaking to me.

Blessed are they who wait for me to extend my hand before shaking hands with me.

Blessed are they who place my hand on objects instead of trying to tell me where they are located, for example, the back of a chair that I may be seated.

Blessed are they who do not leave me in a strange environment without first orienting me to it.

Blessed are they who offer their arm that they may serve as my sighted guide.

Blessed are they who come up to me in a large crowd of people and offer to help me if I am apparently disoriented.

Blessed are they who do not embarrass me in the presence of other sighted people by openly referring to my blindness either in words or in actions.

Blessed are they who laugh with me whenever I tell a personal joke or humorous experience relating to my blindness.

Blessed are they who do not distract my dog guide from being my active eyes.

Blessed are they who read the menu to me along with the prices that I may order my own meal.

Blessed are they who tell me where my food is located on my plate.

Blessed are they who cut the meat on my plate if I wish them to.

Blessed are they who take me to the cashier and place me directly in front of the cashier that I may pay for my own meal.

* * * * *

MONITOR MINIATURES

Speaking of chess (and who isn't these days?), Dr. James Slagle of Bethesda, Maryland held his own at the U. S. Chess Open in Atlantic City. Dr. Slagle has been blind since he was fourteen. He plays using a special board equipped with pegged pieces and Braille. He was the only blind person in the tournament.

* * * * *

Russian scientists were told last month how blind persons can be trained as computer programmers. The information came firsthand from a blind University of Detroit professor of mathematics and computer sciences, Dr. Abraham Nemeth. The educator addressed the All Russia Society for the Blind in Moscow.

* * * * *

One of the students at the Iowa Commission for the Blind recently received the following letter from Mayor Richard J. Daley of Chicago: "Dear Mrs. Ray: Thank you very much for your recent letter relating to your visit to Chicago for the National Federation of the Blind Convention. I am delighted that you enjoyed your stay--and I am also pleased that you took the time to write me about it. It is, as you can imagine, most heartening to me to find that out-of-towners enjoy our city; and it is particularly gratifying when those out-of-towners are former Chicagoans. With kindest regards and again, my thanks."

* * * * *

The Hadley School for the Blind, 700 Elm Street, Winnetka, Illinois 60093, recently announced a free correspondence course called Relevant Speech to help the teacher, lawyer, clergyman, secretary, salesman, club officer, or socially active citizen make the most of his voice and oral persuasive powers. The school also announced Relevant Typing--a swift, concentrated course to make a typewriter a reliable friend in the shortest possible time; and

Relevant Pocketbook Math—a course in the most basic principles of the abacus, with techniques for counting, banking, and getting the most from one's money.

* * * * *

Dr. Lois Wiley, who is totally blind, has a “good hand.” She is a successful chiropractor and a champion bridgeplayer. She plays in tournaments with sighted opponents and recently won two national titles.

* * * * *

We The Blind Newsletter, published by the Pennsylvania Federation of the Blind, states that the Federal-State Aid to Blind grant went from \$105 to \$115 per month, retroactive to last December 31, 1971. It is the Federation's hope to secure periodic increases in the grant of aid.

* * * * *

The Federal Department of Health, Education, and Welfare announces that three-fifths (63.3 percent) of the people who received old-age assistance money payments under State-Federal public assistance programs also received cash insurance benefits under the Social Security program. It was a high of 85.5 percent in Colorado to a low of 27.4 percent in South Carolina. In Aid to the Blind the number of persons receiving both public assistance and Social Security benefits is considerably less, running around fifty percent for the country as a whole. This is, of course, because a smaller percentage of blind persons worked in Social-Security-covered employment.

* * * * *

Proposed regulations by HEW that would prohibit States from denying public assistance to an otherwise eligible individual solely because he is not a citizen of the U. S. have been announced. The regulations implement a Supreme Court decision of last year in which State statutes in Arizona and Pennsylvania were found to be in violation of the Equal Protection Clause. In addition, five other States have U. S. citizenship requirements—Colorado, Indiana, New Hampshire, South Carolina, and Texas.

* * * * *

About 250,000 hot meals will be served at low cost five days a week under a national nutritional program for older Americans. Under a law signed by the President last March, the program is scheduled to begin this fiscal year. Individuals eligible to receive meals are “those persons aged sixty or over who cannot afford to eat adequately, lack the skills and knowledge to select and prepare nourishing and well-balanced meals, have limited mobility which may impair their capacity to shop and cook for themselves, or have feelings of rejection and loneliness which obliterate the incentive necessary to prepare and eat a meal

alone.” The spouses, of whatever age, of such individuals are also eligible. All participants in the program will be given an opportunity to pay all or part of the cost of the meals. No means test will be made, and no one will be turned away for inability to pay for a meal.

* * * * *

All performances of the DeWayne Brothers traveling circus were for the benefit of the NFB of Alaska. We haven’t heard, but we certainly hope that they did a land-office business.

* * * * *

Al Schmidt of Saint Petersburg, Florida landed a 130-pound tarpon in the Gulf of Mexico. Schmidt, who won the Medal of Honor and the Navy Cross, was blinded during World War II. It took him three hours to bring in that big catch.

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Mr. Raymond Rokita, one of our members in Michigan, recently became employed as a darkroom technician at the Veterans’ Hospital in Ann Arbor. It is gratifying to know that federal Civil Service opportunities continue to increase for blind persons. The experience and good work of Mr. Rokita should help open the way for other blind persons in federal employment.

* * * * *

The NFB and its Massachusetts affiliate lost a valuable and dedicated member with the passing of Eva Gilbert in September, after a month’s illness. Miss Gilbert attended Perkins School for the Blind and was a life member of its Alumni Association. During World War II she worked as an assembler in a war plant. She was a certified proofreader. Since last fall she had been employed as an assistant social worker with the Massachusetts Commission for the Blind. In 1943 she joined the Associated Blind of Massachusetts (now the NFB of Massachusetts) which then had but one chapter. When the Worcester Chapter was organized in 1948, Eva became a charter member and over the years has held numerous offices in the chapter, including the presidency. For ten years she was Recording Secretary of the State affiliate. Ever since the NFB Membership Committee was established in 1963, she has represented her State on that Committee. Eva, who had not missed an NFB National Convention since 1962, was the lucky recipient of the grand door prize at this year’s Chicago Convention. Her name was drawn for the beautiful Zenith stereo on the evening of the banquet, which happened to fall on her birthday, as well as Dr. tenBroek’s. She had it sent to the apartment which she and Rosamond Critchley had shared for the past twelve years. The stereo has now been set up and works beautifully—but Eva will never hear it.

* * * * *

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